Argued Jan. 16, 79. Judge Swayne

9 Otto IV

Oct 7. 1878

TRANSCRIPT OF RECORD.

SUPREME COURT OF THE UNITED STATES.

No. 119.

THOMAS R. MILLS, JR., ADMINISTRATOR, ETC., OF THE ESTATE OF GEORGE HALL, DECEASED, PLAINTIFF IN ERROR,

vs.

LEVI H. B. SCOTT.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF GEORGIA.

FILED MAY 8, 1876.

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1 UNITED STATES OF AMERICA,
Southern District of Georgia, ss:

At a stated term of the fifth circuit court of the United States of America, for the southern district of Georgia, held at the United States court-rooms in the city of Savannah, in and for the said district on Thursday the 10th day of November in the year of our Lord one thousand eight hundred and seventy.

Present the honorable W'm B. Woods, U. S. judge for the 5th judicial circuit and Hon. John Erskin, U. S. district judge for the districts of Georgia, presiding.

LEVI H. B. SCOTT
vs.
THOMAS R. MILLS, J'R, ADM'R OF estate of George Hall, dec'd. } Debt.

Be it remembered that heretofore, to wit, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and seventy, in the fifth circuit court of the United States for the southern district of Georgia, came Levi H. B. Scott, plaintiff, by his attorneys, and exhibited and filed his declaration in said fifth circuit court, as follows:

Declaration.

2 In the fifth circuit court of the United States for the southern district of Georgia.

UNITED STATES OF AMERICA,
Southern District of Georgia:

To the honorable the Judges of the fifth circuit court of the United States for the southern district of Georgia.

The petition of Levi H. B. Scott, who avers himself to be a citizen of and residing in the State of New York, in the said United States of America, showeth that Thomas R. Mills, j'r, as administrator cum testiemento annexo, on the estate of George Hall, deceased, whom your petitioner avers to be a citizen of and residing in the State of Georgia, and in the said southern district of Georgia in the United States of America, owes to and unjustly detains from your petitioner the sum of one hundred and nine thousand one hundred and seventy-one dollars, exclusive of interest.

For that by a certain statute of the State of Georgia, passed on the thirteenth day of February, in the year of our Lord eighteen hundred and fifty-four, which statute remains in full force, a certain corporation or banking company was created and established by the name and style of The Merchants and Planters Bank, to be located at Savannah, in the county of Chatham, and to continue until the first day of January,
3 eighteen hundred and eighty, with a capital stock of two millions of dollars to be divided into twenty thousand shares of one hundred dollars each, and by the said statute it is among other things enacted, that said bank shall have power to issue bills, bonds, and notes for circulation, and to discount notes and bills of exchange, and in and by said statute it is also enacted that the persons and property of the stockholders shall at all times be liable, pledged and bound for the redemption of bills and notes at any time issued, in proportion to the number of shares that each individual and corporation may hold and possess, and that such liability

shall not be discharged by a sale and transfer of stock unless, at the time of such sale, the sale was made for a good and valuable consideration and was a bona fide transaction, and the bank was in a sound and solvent condition at the time of such sale, in which event such liability shall not continue six months after such sale and transfer, as by the record of said act, a copy of which, duly authenticated, is here in court ready to be produced at large appears.

And the said George Hall in his life time, to wit: on the first day of January, eighteen hundred and sixty, was and, for a long time before that time, had been up to the time of his death, and said Thomas R. Mills, as administrator as aforesaid, ever since hath been and now is a stockholder in said bank and owned and held, and now owns and holds as such, one thousand shares of the capital stock of said bank, each share of
4 the value of one hundred dollars, and the said George Hall, in his life-time, and said Thomas B. Mills, j'r, as his administrator since his death, thus became, was, and is a member of said corporation, and then and there, to wit: in the southern district aforesaid, subject to the liabilities created by the statute aforesaid, and in the manner and to the extent aforesaid.

And heretofore, at Savannah, to wit, in the southern district aforesaid, on the days and at the times and in the manner hereinafter specified, the said Merchants and Planters' Bank, for a good and valuable consideration, then and there, to wit, in the said southern district, received, made, issued, and put in circulation their certain bills or notes, commonly called bank-bills, of the dates, descriptions, and denominations hereinafter stated, each payable to bearer on demand; signed by Hiram Roberts as president and countersigned by Augustus Barrie as cashier, who, your petitioner avers, were president and cashier of said bank at the time of signing said bills as aforesaid, to wit, eighty-one bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June in the year eighteen hundred and sixty, marked "Letter H," and numbered thus: 4677, 4348, 5118, 1928, 2246, 1716, 3986, 2882, 2743, 4110, 1263, 1900, 4182, 4381, 511, 4846, 3530, 3540, 265, 202, 1238, 3110, 1235, 661, 1268, 4794, 4745, 5692, 3479, 1798, 197, 434. 2223, 212, 4296, 358, 2283, 4379, 3551, 2543, 293, 4601, 3525, 5071, 863, 2667, 29, 185, 3239, 791, 5491, 4207, 5793, 1569, 802, 1470, 1097, 2658, 1953, 962, 1679, 1921, 5132, 1785, 980, 5430, 3240, 2781, 799,
5 3369, 1677, 446, 455, 2974, 504, 4798, 726, 5628, 927, 1540, 2611.

Also, nine bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June in the year eighteen hundred and sixty, marked "Letter I," and numbered thus: 207, 2613, 1681, 1535, 2995, 4899, 2964, 4407, 304.

Also, one hundred and seventy-eight bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter J," and numbered thus: 4569, 3637, 4412, 450, 1854, 814, 4618, 1730, 2727, 1376, 2067, 194, 3538, 4000, 1650, 2752, 1412, 4693, 2487, 1265, 4301, 5635, 5203, 4823, 898, 2852, 4480, 456, 3656, 5627, 2633, 1375, 4201, 997, 2467, 4168, 5099, 3028, 1043, 792, 4490, 2579, 2380, 3696, 916, 4959, 3482, 2861, 2610, 4322, 27, 3180, 1633, 503, 4485, 937, 1852, 866, 1703, 5963, 1533, 4597, 1201, 3918, 490, 3276, 278, 2685, 3853, 180, 4644, 894, 5510, 2747, 1769, 5748, 5311, 475, 3208, 4338, 2131, 4521, 4859, 903, 3251, 5289, 4385, 305, 5055, 4861, 369, 4501, 4311, 3193, 688, 5907, 2489, 3496, 5421, 3455, 1436, 5169, 2629, 4522, 4964, 5834, 1986,

926, 904, 1992, 5482, 1162, 4002, 4846, 3594, 44, 3357, 3158, 5558, 98, 94, 3915, 5313, 3748, 3891, 1083, 2696, 1310, 4622, 3827, 1428, 3227, 720, 4272, 1906, 5853, 5854, 4200, 5855, 3367, 5960, 548, 2032, 1831, 1400, 2795, 3968, 1889, 1714, 2098, 2005, 2040, 3724, 2438, 5941, 4668, 1217, 5255, 5157, 4416, 3833, 514, 3880, 2277, 2286, 1278, 1283, 3925, 3973, 2264, 3924, 1045, 3946, 3869, 2801, 1359, 764, 3556.

Also, five hundred and sixty bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid,
6 bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter H," and numbered thus: 4692, 4659, 1557, 284, 5153, 4202, 825, 3688, 413, 4354, 4046, 473, 901, 1583, 813, 5034, 2327, 2154, 822, 5833, 2215, 477, 2485, 1607, 4681, 4641, 4873, 4435, 4901, 30, 5764, 4168, 2202, 5722, 5478, 4050, 3364, 818, 4066, 2536, 3876, 954, 2691, 5239, 3932, 3902, 61, 3677, 4208, 191, 499, 3680, 3978, 4570, 2227, 3650, 2750, 447, 3464, 862, 5657, 714, 713, 5470, 3370, 4351, 2228, 5369, 2706, 502, 72, 4370, 576, 4104, 1710, 985, 2357, 5333, 774, 149, 986, 2684, 5854, 5855, 5856, 5399, 5014, 1465, 2131, 1715, 1208, 2273, 1027, 3946, 2224, 1300, 5669, 2594, 4557, 4199, 239, 2157, 3586, 246, 4857, 3186, 826, 2153, 2558, 1201, 3885, 3856, 3158, 2278, 1052, 2297, 1217, 1021, 738, 4430, 3877, 5950, 716, 5036, 510, 1445, 864, 981, 875, 3922, 1907, 1191, 2490, 910, 3937, 4662, 579, 380, 5310, 1891, 5476, 2299, 1411, 858, 34, 902, 2326, 1752, 465, 1402, 823, 3914, 629, 44, 5857, 2203, 1181, 1816, 690, 958, 4996, 5003, 2471, 367, 839, 4521, 583, 5281, 904, 5420, 4630, 904, 4822, 2459, 1032, 893, 622, 4788, 147, 2689, 5385, 964, 5384, 74, 5149, 5240, 5818, 707, 2876, 880, 2509, 859, 5709, 389, 3587, 67, 2634, 5210, 2567, 5766, 712, 5665, 1135, 3558, 4910, 507, 4651, 5990, 962, 272, 660, 688, 3216, 5544, 3065, 1279, 3799, 983, 2682, 3873, 438, 4391, 3585, 1040, 3893, 1233, 461, 1923, 3774, 3038, 4242, 693, 949, 5929, 4874, 4874, 1860, 4844, 4040, 4674, 194, 734, 838, 4278, 4870, 5952, 4640, 1622, 4039, 909, 787, 4825, 1025, 185, 1649, 1813, 2365, 2467, 2348, 2372, 559, 4642, 3859, 4127, 2066, 315, 4358, 665, 118, 772, 2568, 4934, 4090, 3398, 3635, 4106, 589, 5282, 381, 359, 5600, 3356, 960, 756, 2754, 4462, 1858, 4212, 4252, 5190, 4158, 3787, 275, 2602, 2468, 3947, 2379, 2604, 3319, 486, 635, 5336, 152, 5841, 3627, 4867, 5908, 910, 255, 999, 3790, 5184, 3481, 2902, 5742, 1692, 4738, 1601, 941, 1868, 4704, 523, 5999, 1810, 4863, 2583, 4396, 3081, 864, 4940, 520, 3716, 424, 1110, 485, 1659, 1807, 934, 3729, 5974, 2677, 612, 5959, 250, 5892, 292, 1425, 3997, 1398, 598, 3938, 1581, 5480, 1406, 390, 3524, 81, 4743, 2235, 1590, 4053, 994, 732, 563, 1796, 118, 488, 215, 2205, 1067, 2600, 1803, 980, 1252, 1341, 1901, 5039, 1805, 1802, 4183, 3133, 2403, 2025, 5454, 695, 3707,
7 3379, 4587, 5745, 207, 1906, 49, 1932, 1892, 1969, 1879, 1269, 950, 3760, 2, 2148, 1952, 671, 590, 4180, 1377, 2825, 365, 1582, 4144, 2332, 2444, 2281, 1706, 760, 1982, 5768, 5801, 167, 1463, 3238, 353, 4823, 2821, 394, 1187, 531, 530, 529, 528, 5191, 3039, 1817, 4872, 4818, 4819, 136, 4575, 4487, 537, 536, 535, 534, 533, 527, 4879, 551, 549, 547, 548, 539, 538, 2156, 853, 946, 1050, 4862, 4060, 1107, 3775, 376, 5498, 4534, 865, 3559, 5262, 3182, 942, 4173, 3097, 4273, 5579, 298, 4030, 1200, 928, 3770, 4300, 4291, 3584, 5739, 735, 2270, 1051, 1792, 165, 189, 4682, 4215, 2085, 78, 1288, 3066, 795, 2650, 5338, 1928, 902, 1820, 3709, 747, 3390, 4325, 1325, 2591, 1956, 1616, 2944, 1872, 4513, 2890, 4519, 3124, 1741, 330, 426, 4495, 1364, 5729, 525, 195, 2304, 1850, 1506, 5906, 1054, 1170, 1788, 4367, 951, 364, 4654, 2681, 5772, 730, 2772, 2928, 4545, 105, 1156, 2955, 5481, 4160, 3214, 3141, 5164, 3488, 5581, 3813, 351, 599, 533, 2884, 5584, 5111, 1766, 2003, 4494, 5082.

Also three hundred and thirty-one bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and

sixty, marked "J," and numbered thus: 2691, 2708, 2983, 863, 3452, 1213, 1012, 2516, 3547, 1219, 4673, 4930, 4931, 3814, 326, 3531, 1239, 4323, 3159, 1931, 1913, 5392, 3478, 3298, 3700, 4982, 273, 4436, 4675, 5708, 443, 3982, 2275, 4061, 341, 2764, 1401, 367, 2180, 5648, 5448, 1698, 3995, 1925, 1279, 417, 1212, 2786, 2969, 938, 4123, 2625, 4438, 5665, 4722, 5384, 3270, 4541, 2689, 815, 275, 5836, 110, 1096, 5312, 4886, 5802, 4614, 1064, 2828, 2369, 840, 2243, 2414, 1302, 4172, 5687, 3653, 3815, 2173, 2073, 5685, 1312, 1011, 3963, 3655, 516, 3, 5293, 3922, 5020, 5404, 931, 3392, 3057, 2248, 4804, 46, 1439, 3090, 189, 4881, 4439, 1088, 1833, 5753, 1392, 1976, 1482, 4294, 5162, 5799, 562, 4104, 2065, 2893, 1404, 2381, 2393, 5174, 2016, 5117, 2704, 3012, 3080, 2931, 3639, 2736, 1204, 2218, 1896, 4487, 3114, 2256, 1070, 516, 4733, 1985, 1951, 1872, 5522, 38, 566, 441, 5572, 5555, 1581, 5766, 2986, 13, 2641, 1039, 1598, 600, 3021, 4489, 1760, 2859, 4912, 670, 4966, 4046, 1116, 5758, 185, 5817, 4774, 2331, 4001, 4856, 817, 2256, 4636, 5038, 3614,
125, 4648, 4512, 5283, 5349, 4474, 1589, 3806, 5977, 3064, 4835, 4050,
8 2918, 2834, 4132, 3820, 598, 1580, 1582, 1583, 5218, 2878, 2506, 2447,
3305, 672, 4068, 56, 4057, 2589, 3099, 4177, 1932, 5945, 3939, 1585, 2617, 2429, 4060, 5604, 4878, 1909, 4818, 4511, 4351, 260, 5018, 134, 47, 4190, 5432, 4962, 4680, 1163, 4100, 3515, 2138, 1501, 5428, 469, 2115, 632, 5670, 143, 5024, 4807, 4556, 3938, 5544, 5036, 1131, 4226, 3638, 1078, 97, 4324, 4672, 5136, 1787, 4813, 2351, 1313, 3579, 5356, 2916, 5201, 5793, 2462, 5873, 4747, 658, 4014, 736, 750, 5705, 743, 2958, 5776, 5877, 1826, 3339, 2266, 2674, 5087, 3852, 1360, 2799, 636, 2580, 5329, 5059, 3299, 3225, 844, 4784, 4588, 1138, 4712, 4074, 905, 3374, 4095, 4141, 949, 4678, 212, 5387, 4577, 4994, 2329, 2723, 822, 4851, 1349, 1756, 2075, 20, 4213, 293, 3415, 4390, 271, 2174, 1607, 2979, 2276, 1071, 2255, 5752, 3619, 196, 2541, 1870, 3620, 952, 3192, 2080.

Also twenty-nine bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourth day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 60, 444, 441, 357, 510, 506, 778, 478, 774, 145, 701, 432, 929, 949, 329, 76, 415, 925, 900, 719, 773, 10, 196, 405, 91, 941, 381, 189, 429.

Also six bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 392, 495, 380, 446, 321, 367.

Also eight bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourth day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 164, 450, 184, 155, 491, 766, 345, 914.

Also seventy-five bank bills for the sum of ten dollars each, payable
as aforesaid, signed and countersigned as aforesaid, bearing date
9 the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 584, 583, 21, 893, 122, 864, 837, 401, 362, 927, 582, 581, 4, 91, 769, 708, 368, 577, 934, 382, 695, 482, 189, 35, 97, 497, 400, 805, 427, 813, 194, 823, 590, 389, 356, 894, 485, 52, 578, 871, 271, 870, 282, 763, 512, 982, 739, 633, 515, 762, 448, 314, 69, 313, 817, 897, 858, 562, 12, 225, 274, 276, 275, 277, 481, 74, 380, 909, 716, 431, 237, 626, 294, 312, 566.

Also ninety-four bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 453, 707, 874, 274, 409, 949, 705, 793, 653, 584, 526, 323, 667, 245, 306, 400, 796, 756, 297, 848, 4, 261, 183, 833, 787, 437, 684, 114, 446, 951, 582, 210, 600, 854, 651, 972, 853,

268, 273, 422, 907, 578, 340 541, 956, 236, 423, 814, 696, 283, 51, 207, 227, 269, 978, 706, 574, 910, 863, 372, 906, 10, 285, 301, 284, 467, 224, 371, 536, 5, 979, 95, 840, 785, 757, 527, 550, 548, 540, 862, 912, 164, 971, 216, 104, 291, 649, 149, 262, 837, 700, 288, 36, 121.

Also seventy-seven bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 481, 991, 181, 470, 696, 312, 402, 249, 900, 392, 401, 726, 403, 347, 673, 449, 767, 271, 480, 233, 876, 318, 92, 865, 171, 319, 546, 441, 730, 300, 837, 431, 46, 734, 61, 366, 890, 958, 86, 82, 995, 759, 43, 316, 142, 910, 828, 17, 924, 741, 73, 833, 871, 633, 507, 396, 588, 160, 162, 330, 520, 359, 48, 517, 989, 711, 914, 936, 574, 526, 777, 70, 849, 354, 482, 67, 959.

Also ninety-seven bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twentieth day of June, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 1000, 617, 276, 102, 184, 449,
10 407, 713, 55, 350, 415, 94, 52, 217, 20, 813, 472, 167, 380, 594, 35, 82, 365, 895, 492, 220, 993, 300, 235, 589, 995, 911, 169, 60, 419, 355, 299, 120, 347, 908, 51, 748, 92, 295, 708, 393, 247, 542, 111, 761, 349, 211, 963, 590, 621, 757, 146, 475, 43, 139, 310, 506, 976, 939, 806, 655, 992, 442, 346, 1, 490, 606, 404, 283, 611, 904, 25, 201, 47, 998, 588, 503, 458, 321, 131, 69, 93, 807, 669, 280, 457, 958, 933, 325, 130, 368, 987.

Also, eighty-four bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of June, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 595, 303, 682, 265, 230, 133, 175, 382, 399, 859, 3, 343, 25, 590, 142, 514, 796, 657, 410, 434, 897, 172, 478, 971, 524, 780, 280, 806, 809, 87, 387, 670, 211, 245, 735, 596, 122, 942, 544, 833, 923, 587, 931, 198, 834, 932, 136, 448, 964, 671, 241, 717, 375, 922, 950, 873, 20, 832, 496, 301, 586, 527, 260, 216, 445, 156, 858, 219, 907, 626, 442, 326, 327, 813, 455, 867, 185, 605, 850, 958, 783, 528, 737, 220.

Also, seventy-two bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of June, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 748, 316, 564, 380, 587, 131, 188, 852, 649, 563, 696, 527, 746, 433, 704, 639, 193, 672, 550, 442, 742, 297 217, 460, 402, 304, 310, 928, 647, 780, 497, 89, 676, 930, 470, 692, 430, 468 572, 390, 361, 898, 725, 389, 680, 189, 404, 691 694, 71, 557, 343, 908, 642, 657, 358, 801, 845, 546, 839, 909, 605, 139, 619, 612, 847, 884, 312, 718, 698, 812, 907.

Also, ninety-one bank-bills, for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of May, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 217, 228, 54, 999, 734, 236, 178, 404, 273, 980, 675, 362, 836, 875, 74, 992, 93, 872, 318, 728, 257, 298, 752, 989, 202, 977, 419, 99, 774, 890, 982, 294, 730, 520, 48, 915, 253, 296, 558, 26, 577, 183, 349, 753, 859, 640, 166, 768, 478, 513, 403, 843, 523, 624, 137, 297, 972, 483, 67, 134, 488, 786, 19, 14, 184, 525, 685, 965, 658, 157,
11 219, 522, 394, 379, 563, 325, 7, 658, 107, 673, 126, 613, 429, 780, 746, 43, 625, 817, 345, 701, 747.

Also, eighty-three bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the third day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 608, 707, 589, 411, 534, 592, 66, 951, 720, 370, 168, 506, 56, 569, 441, 40, 916, 578, 809, 137, 700, 896, 603, 114,

958, 437, 512, 233, 220, 780, 5, 627, 729, 547, 33, 790, 847, 78, 244, 751, 354, 1, 572, 355, 555, 190, 452, 702, 192, 801, 959, 359, 436, 961, 492, 926, 626, 392, 660, 906, 511, 974, 853, 735, 1000, 946, 622, 194, 351, 257, 222, 675, 645, 463, 676, 992, 727, 965, 964, 384, 353, 375, 695.

Also eighty-one bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifth day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 252, 989, 465, 770, 577, 797, 510, 943, 279, 51, 8, 613, 289, 932, 435, 120, 974, 584, 98, 937, 852, 248, 765, 45, 571, 137, 355, 486, 47, 457, 675, 525, 988, 49, 460, 418, 833, 448, 529, 747, 249, 718, 205, 359, 493, 116, 899, 840, 136, 83, 492, 941, 281, 623, 858, 736, 793, 54, 63, 911, 170, 302, 320, 364, 298, 540, 178, 146, 703, 278, 309, 959, 867, 881, 721, 708, , 926, 431, 904, 860.

Also eighty-seven bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 196, 823, 774, 420, 344, 876, 311, 358, 322, 280, 727, 584, 553, 866, 477, 233, 847, 41, 714, 591, 450, 463, 330, 40, 958, 894, 150, 762, 105, 835, 946, 976, 269, 679, 88, 335, 874, 889, 770, 599, 86, 800, 921, 94, 636, 903, 437, 738, 467, 147, 112, 639, 42, 712, 88, 703, 53, 457, 521, 998, 429, 856, 817, 244, 612, 13, 598, 89, 799, 745, 419, 254, 276, 124, 399, 195, 638, 505, 61, 345, 39, 898, 286, 466, 618, 756, 3.

12 Also sixty-six bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 646, 76, 164, 761, 205, 564, 200, 758, 284, 534, 864, 562, 239, 589, 32, 210, 319, 67, 633, 461, 833, 440, 652, 549, 73, 741, 170, 807, 971, 329, 695, 655, 137, 180, 119, 29, 776, 259, 553, 719, 633, 126, 756, 321, 778, 609, 907, 993, 831, 636, 671, 191, 559, 417, 578, 912, 968, 577, 794, 220, 405, 298, 660, 516, 140, 194.

Also ninety-five bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the ninth day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 989, 799, 809, 667, 393, 293, 680, 572, 792, 53, 105, 855, 347, 873, 603, 737, 850, 7, 178, 468, 151, 314, 276, 782, 287, 68, 741, 820, 628, 976, 220, 717, 515, 985, 238, 200, 889, 784, 663, 596, 206, 49, 991, 725, 515, 439, 108, 29, 127, 263, 69, 735, 103, 937, 644, 15, 472, 545, 865, 633, 379, 810, 330, 579, 825, 983, 185, 102, 989, 704, 978, 829, 570, 450, 54, 253, 280, 530, 360, 960, 424, 461, 789, 847, 311, 971, 128, 908, 71, 553, 590, 110, 566, 752, 920.

Also eighty-four bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 398, 383, 845, 781, 482, 488, 183, 383, 626, 357, 146, 191, 678, 247, 635, 701, 773, 674, 173, 804, 489, 720, 616, 206, 836, 948, 153, 275, 215, 648, 346, . 249, 445, 420, 763, 382, 505, 114, 934, 901, 996, 731, 323, 959, 933, 282, 421, 883, 391, 652, 149, 378, . 284, 870, 5, 716, 837, 584, 116, 165, 808, 132, 706, 62, 523, 23, 485, 323, 333, 136, 419, 317, 476, 21, 377, 747, 811, 520, 990, 925, 600, 775.

Also eighty-two bank-bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourteenth day of July, in the year eighteen hundred and fifty-six,

13 marked "Letter H," and numbered thus: 585, 828, 392, 602, 214, 487, 697, 970, 790, 572, 677, 305, 763, 633, 821, 130, 288, 368, 577, 237, 240, 643, 932, 721, 978, 888, 497, 965, 668, 348, 798, 70, 413, 547, 190, 539, 875, 901, 645, 504, 350, 275, 181, 161, 427, 503, 227, 473, 488, 885,

872, 511, 689, 809, 195, 126, 139, 489, 953, 583, 922, 148, 134, 578, 105, , 830, 673, 652, 837, 229, 285, 986, 918, 980, 212, 936, 165, 564, , 54, 629.

Also ninety bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 880, 591, 165, 167, 483, 11, 335, 952, 29, 824, 861, 302, 825, 866, 215, 887, 773, 854, 112, 196, 134, 296, 127, 781, 48, 1, 130, 472, 383, 140, 26, 503, 170, 300, 418, 922, 195, 163, 753, 342, 410, 393, 588, 740, 918, 638, 957, 461, 154, 159, 826, 881, 384, 859, 454, 913, 390, 311, 319, 684, 8, 41, 722, 740, 877, 40, 586, , 364, 395, 764, 730, 93, 856, 899, 299, 904, 991, 768, 106, , , , , , 488, , , , .

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the third day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 92.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the nineteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 239.

Also eighty-seven bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 812, 201, 819, 880, 14 946, 24, 420, 875, 301, 926, 904, 177, 150, 81, 995, 168, 837, 538, 762, 424, 605, 647, 95, 365, 264, 7, 697, 501, 924, 589, 994, 107, 859, 160, 105, 23, 122, 567, 80, 84, 674, 394, 320, 709, 269, 462, 235, 838, 444, 915, 983, 307, 267, 86, 336, 714, 900, 49, 756, 279, 82, 270, 404, 261, 550, 986, 663, 921, 277, 433, 378, 809, 467, 808, 759, 519, 579, 372, 523, 774, 954, 704, 182, 636, 66, 393, 477.

Also ninety-five bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-fourth day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 602, 87, 603, 921, 886, 644, 541, 557, 239, 472, 661, 525, 849, 19, 138, 655, 955, 597, 987, 449, 335, 471, 171, 503, 994, 467, 255, 771, 346, 386, 892, 102, 798, 24, 654, 157, 954, 712, 17, 82, 231, 744, 730, 871, 570, 727, 351, 868, 694, 601, 831, 251, 120, 669, 113, 906, 249, 833, 408, 297, 984, 312, 498, 91, 701, 551, 88, 154, 544, 942, 96, 584, 434, 934, 112, 41, 119, 659, 652, 18, 607, 7, 567, 737, 748, 562, 206, 948, 242, 143, 529, 200, 25, 647, 843.

Also one hundred and five bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-sixth day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 816, 356, 684, 991, 708, 247, 1040, 975, 1079, 234, 923, 29, 320, 623, 554, 1095, 379, 831, 480, 529, 984, 447, 838, 950, 645, 648, 551, 226, 709, 338, 592, 749, 572, 746, 949, 453, 849, 796, 1051, 638, 24, 351, 72, 667, 177, 280, 887, 40, 401, 598, 963, 544, 376, 728, 607, 132, 248, 865, 964, 134, 769, 764, 325, 231, 111, 106, 415, 1052, 1077, 737, 337, 726, 583, 804, 1045, 715, 3, 653, 634, 246, 868, 469, 109, 121, 428, 105, 34, 466, 790, 239, 419, 188, 249, 555, 137, 51, 875, 830, 714, 1061, 603, 207, 299, 850, 570.

Also one hundred and three bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-seventh day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 190, 985,

15 979, 884, 805, 895, 423, 686, 814, 896, 132, 368, 988, 138, 268, 484, 121, 319, 591, 281, 157, 458, 774, 383, 635, 874, 537, 511, 431, 440, 432, 430, 441, 960, 905, 128, 636, 229, 855, 233, 271, 721, 843, 876, 655, 516, 540, 776, 989, 296, 925, 647, 406, 486, 187, 615, 133, 778, 254, 456, 662, 610, 908, 913, 914, 915, 911, 910, 912, 907, 185, 909, 392, 637, 161, 144, 844, 481, 996, 846, 697, 999, 899, 122, 666, 544, 459, 536, 642, 147, 989, 827, 262, 672, 753, 255, 791, 627, 249, 713, 295, 278, 542.

Also eighty-five bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-ninth day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 797, 472, 233, 450, 420, 530, 970, 65, 778, 393, 525, 502, 698, 685, 228, 631, 346, 802, 900, 104, 274, 400, 671, 555, 383, 862, 567, 494, 447, 541, 922, 424, 237, 347, 937, 794, 251, 125, 949, 842, 690, 374, 695, 123, 931, 77, 738, 719, 659, 706, 167, 489, 325, 74, 256, 656, 792, 23, 608, 79, 674, 557, 197, 958, 78, 948, 490, 897, 109, 40, 427, 697, 782, 240, 763, 423, 463, 309, 657, 836, 403, 512, 831, 618, 644.

Also seventy-four bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 435, 472, 476, 768, 613, 480, 657, 796, 380, 273, 168, 446, 147, 590, 262, 156, 325, 728, 574, 448, 774, 715, 336, 416, 782, 811, 203, 152, 459, 993, 173, 994, 52, 706, 654, 148, 324, 94, 231, 815. 742, 777, 853, 696, 600, 462, 418, 848, 946, 521, 514, 701, 916, 362, 450, 194, 45, 25, 426, 636, 743, 224, 658, 329, 13, 489, 8, 776, 259, 780, 296, 612, 340, 627.

Also eleven bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 329, 13, 489, 8, 776, 259, 780, 296, 612, 340, 627.

Also eighty-three bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date
16 the first day of January, in the year eighteen hundred and fifty-seven, marked "Letter H," and numbered thus: 721, 864, 490, 607, 804, 641, 90, 971, 225, 447, 295, 637, 146, 357, 933, 277, 17, 307, 106, 566, 879, 739, 600, 691, 627, 506, 185, 337, 844, 122, 544, 60, 79, 552, 560, 134, 997, 827, 485, 161, 324, 531, 771, 488, 673, 67, 685, 911, 992, 768, 955, 269, 33, 193, 963, 430, 387, 728, 907, 130, 820, 932, 346, 350, 738, 186, 205, 29, 406, 211, 562, 968, 494, 37, 263, 139, 358, 484, 722, 573, 700, 156, 58.

Also eighty-nine bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of January, in the year eighteen hundred and fifty-seven, marked "Letter H," and numbered thus: 436, 311, 217, 555, 945, 686, 969, 661, 416, 477, 182, 237, 630, 298, 425, 225, 865, 848, 625, 272, 399, 816, 473, 286, 9, 846, 947, 908, 307, 109, 258, 359, 914, 715, 248, 784, 671, 939, 955, 922, 505, 203, 372, 153, 585, 926, 61, 552, 967, 714, 543, 503, 136, 798, 946, 426, 663, 224, 13, 961, 578, 850, 500, 973, 995, 515, 230, 159, 584, 322, 40, 636, 407, 890, 812, 496, 63, 412, 303, 551, 482, 246, 718, 874, 935, 431, 25, 191, 856.

Also eighty six bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen hundred and fifty-seven, marked "Letter H," and numbered thus: 125, 5, 274, 495, 199, 18, 143, 644, 515, 849, 92, 801, 35, 737, 440, 336, 893, 984, 219, 88, 890, 102. 833, 810, 253, 165, 239, 207, 426, 688, 357, 639, 762, 210, 134, 212, 191, 415, 52, 497, 966, 421, 252, 80, 73, 853, 56, 572, 488, 268, 82, 29, 864, 915, 150, 267,

622, 356, 328, 792, 532, 193, 527, 351, 791, 783, 947, 401, 7, 794, 962, 986, 476, 647, 564, 403, 861, 90, 352, 414, 867, 439, 198, 776, 306, 594.

Also one bank bill for the sum of ten dollars, payable aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and fifty-seven, marked "Letter H," and numbered thus: 1190.

Also seventeen bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the thirty-first day of December, in the year eighteen hundred and
17 fifty-six, marked "Letter H," and numbered thus: 904, 274, 656, 124, 516, 202, 329, 13, 489, 8, 776, 259, 780, 296, 612, 340, 627.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of January, in the year eighteen hundred and fifty-seven, marked "Letter H," and numbered thus: 721.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen hundred and fifty-seven, marked "Letter H," and numbered thus: 885.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter J," and numbered thus: 3303.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 365.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of June, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 70.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourth day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 723.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh
18 day of June, in the year eighteen hundred and fifty-nine, marked "Letter H," and numbered thus: 568.

Also two bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the ninth day of July, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 307, 349.

Also one bank bill for the sum of ten dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-seventh day of December, in the year eighteen hundred and fifty-six, marked "Letter H," and numbered thus: 800.

Also six bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter H," and numbered thus: 5280, 4810, 169, 348, 2622, 235.

Also six bank bills for the sum of ten dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter J," and numbered thus: 4431, 1863, 1393, 4810, 3542, 3569.

Also fifty-two bank bills for the sum of one hundred dollars each,

payable as aforesaid, signed and countersigned as aforesaid, bearing date the third day of July, in the year eighteen hundred and fifty-six, marked "Letter L," and numbered thus: 176, 397, 512, 374, 505, 871, 254, 5, 135, 100, 584, 599, 715, 591, 561, 544, 165, 680, 460, 67, 466, 303, 360, 939, 358, 685, 804, 780, 725, 434, 251, 74, 511, 209, 46, 504, 474, 660, 457, 524, 363, 567, 101, 594, 990, 270, 803, 339, 362, 543, 234, 556.

Also thirty-five bank bills for the sum of one hundred dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifth day of July, in the year eighteen hundred and fifty-six, marked "Letter L," and numbered thus: 222, 815, 744, 112, 626, 5, 559, 479, 34, 241, 82, 873, 514, 550, 794, 133, 531, 680, 403, 740, 88, 200, 130, 404, 340, 830, 166, 822, 758, 242, 768, 424, 433, 91, 213.

Also, fifty bank-bills for the sum of one hundred dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of June, in the year eighteen hundred and fifty-nine, marked "Letter L," and numbered thus: 310, 12, 980, 878, 262, 700, 752, 76, 284, 749, 802, 409, 387, 54, 868, 844, 921, 919, 508, 810, 869, 372, 509, 811, 452, 494, 134, 375, 91, 424, 982, 476, 645, 859, 453, 55, 938, 962, 313, 381, 865, 798, 157, 844, 693, 22, 710, 638, 582, 89.

Also, fifty-two bank-bills for the sum of one hundred dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter L," and numbered thus: 327, 144, 104, 372, 221, 195, 444, 904, 479, 574, 675, 292, 536, 762, 564, 700, 933, 474, 155, 645, 761, 359, 875, 229, 31, 406, 141, 738, 549, 930, 170, 236, 954, 955, 90, 127, 509, 524, 220, 227, 178, 145, 228, 797, 300, 304, 630, 918, 666, 150, 312, 965.

Also, nine bank-bills for the sum of one hundred dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter L," and numbered thus: 484, 432, 404, 427, 311, 315, 429, 302, 467.

Also, ninety bank-bills for the sum of fifty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter K," and numbered thus: 546, 704, 759, 1871, 198, 831, 706, 916, 927, 194, 279, 356, 168, 635, 636, 1844, 817, 889, 1938, 1940, 1963, 341, 353, 853, 616, 605, 606, 926, 1887, 771, 1886, 82, 807, 141, 850, 861, 868, 837, 823, 848, 978, 811, 56, 48, 514, 98, 768, 521, 426, 428, 30, 782, 1971, 607, 608, 742, 422, 425, 429, 344, 173, 628, 884, 554, 727, 859, 587, 766, 1862, 1933, 778, 1917, 713, 1918, 1845, 555, 977, 905, 46, 473, 171, 6454, 820, 476, 360, 615, 929, 901, 730.

Also, ninety-three bank-bills for the sum of fifty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter K," and numbered thus: 140, 499, 153, 103, 812, 281, 881, 735, 297, 345, 887, 851, 578, 768, 675, 993, 172, 66, 702, 185, 73, 527, 189, 370, 265, 335, 147, 328, 839, 142, 380, 907, 280, 921, 191, 967, 546, 417, 912, 136, 653, 146, 514, 432, 415, 781, 986, 202, 244, 932, 709, 233, 871, 133, 830, 497, 368, 710, 784, 10, 428, 977, 925, 26, 335, 712, 657, 337, 814, 601, 689, 193, 750, 620, 389, 91, 836, 212, 21, 446, 120, 899, 469, 27, 206, 762, 298, 421, 893, 349.

Also, seventy-six bank-bills for the sum of fifty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifth day of July, in the year eighteen hundred and fifty-six, marked "Letter K," and numbered thus: 840, 639, 804, 699, 281, 901, 692, 653 365, 98, 497, 150, 902, 388, 499, 267, 518, 188, 352, 198, 605, 962, 822, 416,,

690, 522, 521, 455, 222, 684, 474, 156, 189, 886, 987, 742, 58, 393, 118, 350, 719, 465, 953, 619, 149, 964, 125, 4, 685, 325, 540, 77, 875, 876, 907, 567, 856, 709, 152, 923, 325, 12, 633, 220, 888, 415, 490, 538, 104, 767, 107, 996, 729, 141, 118.

Also, seventy-five bank-bills for the sum of fifty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the third day of July, in the year eighteen hundred and fifty-six, marked "Letter K," and numbered thus: 714, 827, 894, 345, 660, 881, 300, 495, 995, 791, 279, 218, 766, 768, 188, 319, 342, 197, 929, 637, 650, 150, 451, 947, 128, 552, 28, 460, 259, 921, 703, 985, 854, 108, 678, 100, 906, 343, 332, 925, 651, 500, 588, 413, 701, 85, 321, 11, 596, 455, 494, 879, 931, 916, 848, 464, 60, 151, 959, 205, 696, 405, 80, 250, 16, 3 6, 429, 193, 461, 807, 33, 726, 130, 120, 209.

21 Also, seventy nine bank-bills for the sum of fifty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of June, in the year eighteen hundred and fifty-nine, marked "Letter K," and numbered thus: 489, 107, 596, 730, 626, 286, 226, 519, 102, 15, 403, 956, 561, 964, 707, 779, 517, 551, 821, 461, 643, 11, 361, 138, 682, 544, 186, 218, 368, 311, 838, 14, 90, 573, 799, 535, 907, 607, 865, 203, 39, 486, 480, 473, 328, 100, 455, 82, 360, 546, 598, 746, 282, 185, 536, 586, 395, 424, 307, 268, 623, 142, 434, 943, 639, 722, 859, 224, 781, 457, 280, 604, 587, 850, 552, 235, 873, 584, 565.

Also, two bank-bills for the sum of fifty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifth day of July, in the year eighteen hundred and fifty-six, marked "Letter K," and numbered thus: 955, 376.

Also, ninety-nine bank-bills for the sum of twenty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter J," and numbered thus: 34, 257, 449, 941, 1845, 813, 820, 625, 1856, 990, 197, 973, 178, 623, 294, 1867, 1871, 1868, 47, 913, 513, 48, 867, 450, 831, 988, 773, 902, 570, 711, 223, 648, 1863, 434, 928, 1944, 922, 499, 183, 429, 248, 175, 160, 1936, 952, 662, 213, 453, 496, 775, 723, 239, 113, 177, 888, 121, 210, 736, 792, 997, 744, 751, 55, 989, 633, 738, 1838, 689, 141, 441, 209, 74, 159, 1893, 856, 456, 130, 652, 1941, 9, 50, 478, 790, 910, 176, 401, 402, 680, 90, 889, 672, 465, 246, 290, 56, 25, 931, 1880, 16.

Also, eighty-one bank-bills for the sum of twenty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the third day of July, in the year eighteen hundred and fifty-six, marked "Letter J," and numbered thus: 908, 424, 376, 540, 315, 153, 581, 372, 471, 492, 549, 861, 383, 264, 621, 593, 60, 218, 62, 388, 531, 117, 134, 369, 361, 789, 940, 607, 32, 550, 611, 803, 255, 246, 281, 821, 12, 971, 476,
982, 266, 529, 860, 339, 247, 702, 83, 906, 502, 856, 193, 298, 544,
22 850, 651, 254, 176, 209, 664, 320, 931, 919, 509, 569, 133, 9, 352, 913,
826, 353, 524, 286, 762, 561, 123, 644, 2, 618, 895, 758, 659.

Also, ninety bank bills for the sum of twenty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifth day of July, in the year eighteen hundred and fifty-six, marked "Letter J," and numbered thus: 612, 582, 672, 372, 156, 220, 212, 660, 307, 864, 46, 327, 136, 142, 293, 953, 152, 695, 469, 578, 291, 231, 323, 248, 619, 665, 81, 185, 746, 205, 22, 979, 827, 876, 164, 90, 371, 635, 685, 197, 744, 409, 515, 147, 422, 424, 59, 252, 13, 976, 581, 572, 561, 564, 121, 284, 141, 620, 376, 712, 494, 9, 944, 573, 455, 854, 517, 427, 451, 244, 322, 74, 813, 256, 716, 476, 792, 335, 897, 384, 375, 458, 326, 435, 968, 525, 680, 233, 195, 932.

Also, seventy-two bank-bills for the sum of twenty dollars each, pay-

able as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of June, in the year eighteen hundred and fifty-nine, marked "Letter J," and numbered thus: 422, 559, 88, 323, 189, 404, 685, 56, 495, 722, 121, 666, 794, 152, 854, 676, 510, 164, 710, 57, 398, 910, 845, 777, 396, 294, 228, 930, 526, 464, 837, 452, 319, 482, 297, 311, 577, 634, 901, 330, 779, 345, 804, 821, 719, 940, 222, 789, 987, 72, 17, 369, 885, 204, 667, 277, 849, 87, 952, 23, 543, 394, 668, 924, 388, 53, 786, 3, 192, 726, 296, 135.

Also, eighty-eight bank-bills for the sum of twenty dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter J," and numbered thus: 222, 327, 8, 206, 426, 559, 170, 22, 713, 189, 330, 879, 901, 886, 519, 762, 151, 132, 606, 548, 757, 653, 441, 285, 397, 96, 532, 698, 181, 740, 461, 821, 488, 596, 683, 154, 796, 434, 726, 605, 257, 867, 149, 682, 211, 412, 279, 928, 97, 895, 577, 789, 661, 963, 95, 626, 857, 690, 104, 29, 328, 724, 746, 852, 885, 483, 957, 322, 578, 668, 44, 255, 719, 723, 194, 663, 392, 666, 944, 848, 902, 940, 305, 813, 950, 574, 72, 109.

23 Also, five hundred and nineteen bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter G," and numbered thus: 3603, 917, 3743, 5236, 4660, 4064, 5094, 901, 3417, 1062, 692, 4489, 2281, 2337, 3558, 3958, 3454, 3173, 318, 5348, 1160, 5028, 2605, 4805, 2624, 2150, 2830, 2829, 1158, 402, 3978, 1007, 1797, 4189, 3449, 1646, 895, 1794, 2418, 3358, 5193, 5301, 3437, 5562, 2325, 5450, 5652, 5867, 3565, 5961, 3641, 4168, 2001, 3813, 4132, 2660, 1126, 5680, 2158, 2466, 495, 4545, 936, 1384, 1600, 166, 4509, 5296, 24, 37, 1136, 5268, 865, 4893, 929, 3551, 499, 1751, 2321, 4753, 19, 216, 4984, 1178, 1638, 2036, 2638, 1382, 1590, 1480, 4188, 705, 1125, 4498, 3640, 1881, 1405, 5080, 3158, 3009, 4854, 3907, 2800, 3276, 4251, 5089, 1652, 1422, 5038, 2606, 153, 4898, 4035, 437, 2798, 2575, 1122, 1539, 3378, 2214, 1845, 310, 620, 154, 3517, 3519, 2643, 133, 3153, 680, 4179, 3986, 4786, 4710, 541, 4809, 1809, 1661, 2602, 5519, 1251, 2077, 1381, 3533, 5429, 3005, 5767, 5466, 4293, 1718, 2903, 5032, 4005, 4840, 2562, 1897, 3142, 4138, 859, 709, 1838, 4523, 3297, 3366, 3984, 3859, 4779, 1206, 5938, 5022, 3995, 1344, 833, 3333, 3597, 5054, 1232, 4737, 3365, 3969, 4994, 482, 3784, 5831, 2909, 610, 1562, 3349, 5640, 815, 5842, 5830, 979, 1316, 2124, 3230, 3224, 5463, 4781, 76, 815, 2163, 2294, 1226, 1301, 5718, 3908, 2552, 1243, 3396, 2659, 1763, 4793, 140, 3961, 2027, 2548, 2207, 1087, 5145, 2003, 1023, 3491, 4233, 4127, 4894, 4922, 4604, 3231, 724, 506, 4673, 3609, 2968, 5929, 4217, 3380, 2144, 559, 31, 4063, 1234, 4702, 5079, 382, 3334, 1782, 1509, 3524, 4488, 2195, 4019, 3065, 2510, 5661, 1667, 1141, 5384, 2877, 3902, 4940, 243, 1892, 4689, 1971, 2446, 3183, 1116, 2680, 675, 4825, 3870, 1625, 3493, 5909, 3663, 4289, 3064, 3897, 1848, 864, 3848, 990, 4059, 3056, 219, 1204, 242, 746, 1334, 5759, 4808, 2693, 90, 1844, 883, 4013, 1916, 3283, 4608, 2370, 3375, 1273, 1215, 753, 1448, 1423, 60, 4571, 4834, 1008, 3699, 2913, 916, 994, 3547, 5491, 5187, 3094, 4855, 1260, 4253, 2914, 4508, 5835, 953, 1194, 1189, 5848, 5476, 4955, 4157, 1614, 464, 2298, 4114, 494, 5199, 5503, 814, 5335, 3878, 3486, 5176, 362, 3108, 4647, 4170, 957, 490, 1623, 5521, 775, 2330, 1566, 1061, 1314, 1330, 1313, 2334, 3717, 3718, 2405, 2682, 3716, 1362, 5051, 3434, 2811, 3755, 2506, 5486, 4889, 1740, 2045, 2636, 3413, 5807, 5638, 1568, 4056, 2976, 676, 4784, 2851, 2528, 634, 1791, 4047,

24 4322, 707, 1944, 3856, 4454, 823, 261, 558, 5939, 5937, 3270, 3492, 4482, 1872, 4073, 3514, 269, 3147, 804, 3243, 3072, 1111, 2441, 1540, 908, 3642, 3751, 2876, 3652, 4290, 4785, 5854, 5677, 5785, 736, 5349, 5685, 3184, 789, 3154, 2054, 3119, 5232, 4831, 1793, 1103, 386, 1684, 4193, 3063,

5837, 2684, 1085, 5029, 4813, 4956, 1741, 2082, 5082, 2037, 1811, 1078, 4514, 1035, 3475, 4643, 3247, 4142, 1706, 5064, 5895, 4569, 828, 1272, 1235, 5365, 4214, 72, 1750, 1819, 5639, 4226, 2474, 792, 5687, 1624, 652, 3876, 1274, 1288, 2713, 3740, 2415, 2398, 5550, 1284, 5228, 1320, 1239, 1910, 2590, 3805, 2846, 4738, 3707, 1947, 4902, 4855, 1792, 1532, 1868, 2372, 3269, 2075, 1212, 2760, 2686, 1756, 2805, 218, 1666, 4822, 71, 1386, 5407.

Also, five hundred and forty-three bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter F," and numbered thus: 3144, 4543, 694, 1643, 2126, 3559, 2096, 3692, 4221, 4365, 484, 410, 4827, 2420, 3120, 1705. 2587, 5026, 2429, 304, 1960, 611. 114. 4422, 2054, 1619, 5950, 5497, 2289, 838, 3983, 4265, 5938, 2269, 5194, 3223, 5806, 4158, 3208, 3357, 4590, 56, 2446, 3936, 362, 5376, 3252, 5492, 644, 1803, 439, 1770. 4418, 3393, 2079, 3671, 3167, 4098, 1115, 4437, 717, 1634, 3851, 5797, 4151, 1160, 1284, 4297, 1420, 447, 4229, 3088, 4563, 2957, 4791, 5500, 3489, 3568, 3092, 5436, 4174, 4389, 1328, 4739, 1592, 88, 1656, 1392, 3246, 5887, 5147, 152, 6000, 1317, 885, 2353, 2738, 3849, 5787, 4626, 3094, 5646, 5856, 2111, 490, 3443, 1303, 1232, 4318, 5039, 5129, 4979, 3616, 5894, 3351, 322, 2612, 3316, 2918, 1105, 2303, 3808, 1439, 1580, 1720, 4471, 3731, 1549, 1642, 4095, 5712, 4707, 5882, 344, 3995, 4120, 2014, 5320, 3638, 1613, 4741, 4018, 3824, 4636, 2962, 2468, 1345, 25, 4601, 4429, 580, 4528, 198, 2863, 1602, 5405, 3215, 3889, 1087, 2764, 5703, 3406, 3827, 5959, 4028, 2792, 1478, 4597, 1863, 5399, 5465, 5878, 4220, 5476, 4180, 2821, 3735, 1965, 1377, 2360, 3931, 5509, 4053, 2221, 593 3230, 3957, 1680, 3996, 4658, 3189, 5904, 3763, 3827, 30, 5013, 5092, 5289 3204, 339, 1304, 3819, 646, 4210, 2008, 2331, 200, 5557, 227, 3055, 3750, 2769, 113, 3419, 2843, 3577, 11, 4947, 5401, 2176, 690, 2832, 4374, 400, 406, 5835, 5086, 1145, 3552, 3566, 2262, 5519, 4124, 3320, 3382, 1470, 1468, 466, 1442, 1069, 5985, 76, 2080, 2562, 939, 1870, 1027, 3020, 2332, 1380, 1391, 5704, 1394, 776, 5303, 4881, 74, 1878, 529, 1574, 5760, 2020, 140, 4054, 1824, 1676, 1114, 5625, 541, 2427, 5056, 3911, 1945. 89. 2493, 5009, 305, 2043, 4099, 1089, 4714, 2283, 2281, 3918, 1319, 744, 97, 3225, 1521, 4623, 2026, 25 1236, 1871, 573, 3990, 2787, 1783, 5714, 1822, 1673, 5293, 2705, 3004, 4408, 2974, 1956, 1957, 2011, 4237, 2399, 2945, 35 18, 524, 1536, 165, 2312, 2828, 2207, 1857, 96, 4188, 5246, 4059, 4415, 5745, 483, 5274, 3123, 1438, 5813, 1925, 2252, 2563, 4041, 4316, 3056, 194, 4308, 4453, 4349, 5655, 1758, 5639, 2498, 5682, 4846, 3794, 4434, 5848, 5003, 1252, 313, 4430, 3914, 2517, 1457, 3836, 587, 2614, 3615, 5172, 4815, 2961, 746, 5071, 4748, 3628, 4254, 4027, 2913, 973, 4842, 4253, 4690, 885, 3800, 2467, 2215, 4153, 1305, 2634, 5297, 506, 590, 3240, 1093, 427, 4200, 2924, 3831, 4360, 2772, 473, 2834, 264, 682, 5217, 575, 2491, 4616, 5674, 3865, 1287, 2087, 349, 350, 3217, 1166, 4386, 4411, 2019, 4932, 3298, 780, 2005, 3175, 4928, 5645, 228, 5281, 5220, 5933, 1645, 5492, 4021, 5796, 3025, 3893, 18, 3267, 5235, 1521, 788, 2430, 4505, 2544, 1443, 2735, 3941, 3309, 825, 5567, 712, 2679, 69, 2494, 3269, 2341, 5987, 5802, 511, 338, 4897, 159. 2347, 5481, 5861, 5392, 1375, 5124, 5102, 1365, 2335, 1276, 3444, 3718, 3716, 2330, 2987, 2324, 1218, 4749, 1246, 234, 3727, 3775, 1331, 2056, 1747, 5382, 771, 3650, 3960, 613, 5853, 4981, 13, 2509, 2624, 2164, 3248, 1477, 504, 1967, 5975, 4889, 4385, 5833, 2075, 5976, 3377, 131, 3363, 3328, 5332, 456, 324, 2741, 3774, 4855, 4578, 3962, 5275, 3502, 542. 3706, 2349, 1219, 1369, 4085, 2932, 3758, 3674, 5877, 3678, 1746, 4609, 4790, 2136, 5886, 4393, 2557, 840, 5844, 4022, 5553, 1343, 4073, 4901, 2282, 1896, 2065, 1431.

Also, one hundred and eighteen bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourth day of June, in the year eighteen hundred and fifty-nine, marked "Letter G," and numbered thus: 475, 496, 288, 434, 777, 355,

686, 941, 727, 352, 902, 793, 959, 750, 377, 372, 627, 943, 689, 948, 481, 462, 629, 371, 757, 70, 774, 738, 338, 385, 204, 905, 229, 40, 125, 355, 125, 211, 148, 970, 959, 958, 444, 796, 395, 266, 375, 658, 926, 261, 448, 177, 347, 749, 470, 632, 751, 165, 934, 461, 376, 718, 736, 645, 755, 946, 264, 904, 423, 685, 423, 615, 312, 253, 667, 729, 633, 461, 116, 158, 217, 115, 368, 203, 226, 500, 265, 754, 152, 933, 483, 318, 143, 134, 394, 322, 280, 655, 406, 465, 940, 678, 321, 384, 282, 385, 240, 943, 445, 642, 760, 443, 278, 396, 359, 127, 646, 121.

Also, one hundred and sixteen bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter G," and numbered thus: 737, 764, 739, 289,
26 920, 316, 213, 892, 232, 78, 14, 307, 568, 971, 583, 918, 831, 543, 545, 99, 871, 850, 997, 63, 771, 585, 346, 503, 967, 869, 441, 946, 176, 318, 211, 286, 667, 269, 325, 614, 416, 106, 46, 498, 930, 865, 185, 187, 188, 198, 721, , 123, 40, 510, 992, 11, 343, 149, 851, 523, 160, 133, 921, 929, 322, 156, 32, 129, 879, 190, 195, 508, 463, 107, 706, 904, 206, 166, 632, 218, 776, 255, 422, 360, 438, 972, 162, 7, 912, 853, 425, 716, 761, 812, 794, 215, 259, 221, 165, 280, 980, 765, 301, 783, 24, 22, 45, 753, 986, 726, 144, 255, 186, 121.

Also, sixty-four bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter F," and numbered thus: 185, 812, 188, 187, 360, 580, 769, 404, 823, 729, 21, 24, 615, 682, 343, 171, 216, 792, 226, 222, 288, 225, 224, 768, 782, 201, 834, 340, 757, 507, 786, 952, 128, 245, 328, 655, 626, 639, 303, 434, 724, 636, 195, 196, 825, 759, 611, 620, 342, 717, 890, 8, 881, 190, 304, 713, 606, 332, 312, 684, 976, 325, 49, 72.

Also, seventy-nine bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 882, 284, 94, 49, 845, 508, 706, 941, 134, 395, 33, 454, 761, 64, 926, 437, 377, 246, 976, 561, 614, 723, 295, 563, 6, 79, 335, 806, 57, 432, 983, 306, 977, 456, 638, 184, 73, 103, 578, 433, 565, 186, 409, 657, 36, 783, 219, 82, 579, 151, 566, 160, 942, 361, 226, 440, 247, 946, 924, 918, 408, 45, 617, 831, 725, 829, 400, 774, 476, 230, 582, 126, 822, 532, 314, 838, 665, 619, 640.

Also, seventy-four bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 896, 917, 527, 267, 718, 935, 63, 428, 508, 392, 254, 53, 307, 753, 46, 425, 700, 998, 178, 532, 75, 355, 127, 685, 427, 328, 865, 34, 471, 493, 188, 270, 257, 5, 660, 748, 802, 211, 771, 323, 189, 518, 886, 592, 47, 491, 942, 890, 429, 318, 310, 914, 54, 966, 65, 938, 783, 280, 525, 250, 220, 303, 66, 340, 338, 24, 272, 190, 430, 799,
834, 744, 157, 30, 352, 221, 196, 720.

27 Also, seventy-three bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned aforesaid, bearing date the seventeenth day of June, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 109, 517, 246, 178, 903, 489, 358, 653, 918, 88, 36, 589, 728, 452, 864, 260, 478, 871, 720, 722, 21, 129, 615, 603, 172, 101, 597, 111, 684, 103, 449, 359, 136, 328, 235, 325, 183, 738, 540, 765, 712, 313, 78, 44, 322, 968, 304, 244, 55, 220, 376, 29, 892, 385, 666, 195, 104, 476, 998, 994, 404, 518, 175, 15, 196, 624, 491, 558, 203, 183, 229, 834, 419.

Also, one hundred and three bank bills for the sum of five dollars

each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of June, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 527, 245, 426, 440, 807, 72, 186, 638, 504, 342, 114, 184, 110, 99, 400, 375, 273, 715, 559, 893, 199, 740, 367, 55, 99, 905. 159, 172, 747, 379, 845, 943, 195, 129, 433, 531, 309, 755, 894, 406, 167, 988, 91, 932, 520, , 792, 101, 189, 840, 625, 16, 835, 829, 477, 298, 960, 410, 209, 993, 733, 136, 88, 194, 284. 600, 190, 686, 153, 623, 472, 961, 815, 117, 213, 217, 147, 277, 502, 641, 7, 76, 991, 794, 556, 155, 417, 467, 618, 490, 682, 564, 154, 303, 426, 789, 151, 509, 452, 942, 68, 591, 680.

Also, eighty-six bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twentieth day of June, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 119, 737, 476, 56, 152, 541, 419, 519, 179, 414, 619, 810, 908, 778, 750, 313, , , 811, , 913, 12, 132, 506, 958, 405, , 65, 313. 557, 300. 335. 309. 547, 626, 326, 709, 705, 420, 428, 804, 892, 974. 946, 813, 680. 21. 474, 616, 574, , 181, 448, 988, 637, 755, 884, 209, 778, 113, 538, 72, , , , , 70, 997, 894, 774, 585, 309, 706, 591, 701, 812, 744, 252, 19, 987, 544, , , 350, , 312.

Also, eighty-six bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of June, in the year eighteen hundred and fifty-
28 six, marked "Letter G," and numbered thus: 209, 932, 913, 703, 463, 518, 44, , , 306, 95, 728, 395, 616, 43, 739, 220, 643, , 42, 14, 259, 320, 912, 305, , 935 , , 923, , , 836, 74, 898, 173, 781, , 293, 167, 755, 640, 694, 360. 44, 462, 354, 432, 196, , 761. 419, 874, 560, 297, 369, 370, 934, , 353, 313, 466, 613, 572, 339, 832, 592, 622, 756, 422, 812, 653, , 67, 610, 338, 179, 348, 513, 913, 968, 453, , 708, 123.

Also, seventy-three bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of January, in the year eighteen hundred and fifty-seven, marked "Letter E," and numbered thus: 58, 548, 205, 48, 331, 949, 854, 855, 246, 153, 919, 605, 256, 90, 544, 473, 956, 394, 144, 986, 336, 176, 944, 84, 970, 520, 97, 843, 31, 356, 844, 553, 878, 516, 151, 603, 469, 880, 611, 399, 718, 794, 411, 131, 229, 6, , 799, 789, 220, 479, 909, 182, 18, 67, 17, 504, 544, 967, 116, 785, 642, 810, 714, 722, 777, 398, 149, 127, 662, 716, 359, 684.

Also, ninety-seven bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of January, in the year eighteen hundred and fifty-seven, marked "Letter G," and numbered thus: 314, 957, 331. 515, 142, 461, 240, 440, 82, 267, 186, 878, 217, 781, 896, 909, 235, 42, 713, 136, 521, 565, 313, 195, 725, 613, 765, 337, 402, 93, 646, 820, 325, 836, 491, 570, 870, 121, 101, 395, 79, 588, 750. 430, 671, 95, 839, 631, 733, 904, 41, 511, 943, 802, 739, 334, 880, 865, 539, 749, 60, 889, 761, 423, 224, 10, 380, 361, 808, 106, 263, 909, 28, 505, 251, 452, 991, 4, 990, 688, 979, 454, 712, 314, 762, 116, 636, 183, 495, 45, 98, 410, 146, 36, 826, 245, 440.

Also, fifteen bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of January, in the year eighteen hundred and fifty-seven, marked "Letter G," and numbered thus: 348, 614, 964, 245, 959, 650, 658, 9, 993, 289, 69, 446, 337, 402.

Also, fifty-five bank-bills for the sum of five dollars each, payable as

aforesaid, signed and countersigned as aforesaid, bearing date
29 the tenth day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 797, , , 844, , 176, 655, 285, 911, 14, , , 156, 652, 907, 957, , 801, 147, 317, 369, 918, 853, , 870, 394, 938, , , , 629, , , 948, 290, , 492, 457, , , 332, , 377, 910, 364, , 538, 232, , 949, 304, 486, 857, 311, 813.

Also, seventy-six bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 137, , 752, 488, 60, 306, 888, , 893, 779, 398, 238, 663, 862, 413, 228, 987, , , 336, 917, 871, 662, , 429, , 968, 260, 696, , 943, 465, 953, 502, 824, 150, 690, , 120, , 447, 514, 648, , , 450, 628, , , 46, 739, 602, , 678, , 501, 26, 439, 388, 328, , , , 960, , 730, 687, 176, 288, 957, 182, 966, 227, 295.

Also, sixty bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 819, 607, 85, 906, 819, 16, 596, , 45, 108, 857, 822, 885, , , 418, , 99, 176, 357, 806, , 376, 681, 297, 154, 543, 762, , , 360, 830, 613, 447, 886, 804, 899, 838, 529, 286, 556, , 342, 110, 809, 118, , 17, 478, 348, 490, 96, 58, 532, , , 400, 75, 327, .

Also, sixty-two bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 187, , 633, 741, 357, , , 177, 309, 641, 657, 758, , 482, 842, 77, 873, 667, 681, 421, , 726, 809, , 695, 454, 766, 340, , , , 583, 466, 353, 317, 233, , 665, 606, 721, , , 26, 616, 127, , , 750, , 824, 677, 771, 832, 961, , 329, , , 690, 770, 639, .

30 Also, eighty-three bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of June, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 230, 453, 859, 138, 90, 91, 422, 740, 645, 958, 169, 942, 361, 825, 789, 578, 897, 848, 613, 914, 121, 176, 33, 377, 558, 376, 954, 930, 590, 741, 411, 253, 336, 461, 960, 623, 437, 463, 431, 332, 77, 975, 677, 751, 792, 664, 592, 805, 75, 304, 348, 449, 257, 808, 955, 228, 932, 596, 615, 178, 367, 852, 833, 636, 34, 455, 39, 693, 462, 812, 632, 432, 612, 182, 560, 525, 500, 289, 549, 30, 971, 339, 434.

Also, eighty-six bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of June, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 454, 831, 78, 818, 381, 344, 331, 942, 865, 882, 960, 342, 137, 87, 40, 170, 621, 535, 996, 590, 96, 426, 208, 637, 197, 206, 358, 787, 102, 769, 216, 842, , 367, 76, 181, 45, 172, 848, 845, 690, 101, 433, 807, 948, 210, 901, 805, 509, , 981, 597, 338, 32, 88, 103, 151, 897, 600, 419, 809, 843, 610, 296, 944, 671, 826, 718, 269, 464, 352, 889, 497, 122, 226, , 360, 266, 195, 433, 821, 685, 841, 58, 719, .

Also, one hundred and one bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: , , , , 190, 297, 140, 202, 710, 117, 254, 334, 890, 763, 667, , , 266, 473, 730, 200, 448, 122, 289, 691, 560, , 736, 880, , 870, 159, 704, 84, 396, 716, 69, , , 888, 899, 31, 375, 353, 479, 600, , 51, 966, , 929, ,

331, , 709, 723, 591, 422, 47, 495, 918, 617, 505, 125, 10, 669, 873, , 569, 242, 341, 399, 852, 921, 380, 274, 397, , 566, 66, 332, 782, 348, 229, 304, , , 193, 132, 392, 344, 377, 596, 271, 996, 178, 760, 296, 306, 541, 613.

Also, eighty-five bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of July, in the year eighteen hundred fifty-six,
31 marked "Letter G," and numbered thus: 236, 971, 806, , 122, 376, 722, 393, 376, 227, 314, , 267, , 128, 221, 701, 296, 279, 668, 858, 537, , 296, 839, , 393, 309, , , , , 702, 273, , 68, , , 753, 205, 298, 146, 149, 950, 580, 853, , 639, 305, 66, , 131, 304, , 144, 476, , 193, 222, , 584, , , 882, 736, 294, 793, 107, 123, 265, 737, 931, 932, 26, 870, 733, , 592, 237, 207, , 133, 337, 653, .

Also seventy-nine bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 214, 322, 190, 856, 903, 892, 422, 532, 603, 937, 320, 406, 504, 34, 608, , 28, 475, 675, 413, 499, 563, 832, 499, 963, 836, 795, 47, 65, 892, 715, 602, 576, 899, 764, , 247, 918, 165, 87, 466, 728, 400, 537, 840, 111, 547, 189, , , 609, 504, 624, 73, , 419, 392, 912, 25, 195, 779, 119, 118, 431, , 734, 911, 440, 489, 665, 739, 714, , 721, 370, 790, 20, 161, 418.

Also sixty-nine bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 236, 754, 90, 368, 858, 629, 594, 149, 577, 374, 500, 158, 263, 449, 864, 423, 411, 262, 454, 742, 82, 801, 62, 564, 634, 645, 430, 666, 690, 633, 824, 628, 238, 381, 122, 595, 105, 202, 875, 420, , 900, 402, 548, 38, 437, 923, 680, 419, 54, 638, 549, 936, 699, 563, 983, 947, 903, 710, 551, 851, 989, 986, 442, 316, 196, , 570, 605.

Also ninety bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the ninth day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 507, 792, 122, 76, , 77, 697, , 742, 288, 222, 773, 709, 472, 879, 141, 336, 350, , 477, 155, 897, 907, 351, 899, 17, 534 , 2, 601, 475, 266, 461, 671, 455, 699, , 126, 621, 572, 16, 114, 490, 786, 180, , 950, 144, 760, 162, 870, 108, , 579, 407, 71, 411, 189, 498, 483, 363, , 230, 613, 363, 606, 348, 626, 920, 849, 300, 11, 389, 388, 545, , 710, 773, 323, 393, 772, 994, 862, 710, 109, 21, 648, 195, 36.

32 Also eighty-five bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the ninth day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 739, 203, 477, 823, 270, 317, 352, 644, 204, 70, 516, 201, 161, 342, , 538, 430, 772, 25, 113, 678, 359, 454, 21, 702, 281, 970, 117, 325, 904, 987, 1000, 231, 211, , 92, 442, 302, 699, 450, 969, 344, 733, , 710, 645, 363, 348, 294, 762, 572, 165, 291, 882, 592, , 67, 683, 549, 758, , 40, , 329, 646, 760, 253, , , 788, , 390, 530, 883, 630, 521, 472, , 376, 993, 567, , , 33, 399.

Also seventy-five bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the secsecond day of January, in the year eighteen hundred and fifty-seven, marked "Letter G," and numbered thus: 192, 682, 653, 853, 135, 180, 299, 313, 177, 584, 757, 713, 623, 972, 139, 311, 96, 983, 613, 790, 456, 464, 785, 252, 478, 795, 605, 322, 458, 415, 314, 93, 675, 493, 297, 361, 417, 749, 511, 708, 616, 99, 373, 866, 266, 556, 149, 503, 863, 281, 396, 491, 293, 87, 97, 342,

11, 8, 602, 608, 318, 452, 920, 539, 152, 798, 311, 553, 390, 201, 503, 536, 137, 906, 550.

Also eighty-three bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of January, in the year eighteen hundred and fifty-seven, marked "Letter F," and numbered thus: 309, 971, 869, 982, 694, 366, 112, 575, 478, 315, 623, 670, 66, 834, 672. 519, 259, 399, 453, 210, 580, 379, 264, 175, 414, 849, 192, 15, 528, 830, 733, 484, 405, 883, 154, 437, 465, 850, 644, , 446, 870, 352, 865, 790, 636, 690, 824, 322, , 351, 867, 996, 277, 831, 911, 769, 376, 192, 784, 914, 866, 514, 953, 969, 72, 529, 149, 913, 842, 845, 993, 863, 819, 960, 230, 540, 30, 220, 628, 441, 13.

Also one hundred and forty-one bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen
33 hundred and fifty-seven, marked "Letter F," and numbered thus: 285, , 472, 623, 611, 733, 310, 769, 40, 492, 332, 944, 546, 744, 792, 404, 898, 980, 703, 263, 113, 603, , 558, 192, 987, 881, 106, 319, 517, 467, 959, 297, 433, 293, 133, 437, 33, 274, 800, 962, 460, 305, 299, 355, 544, 423, 571, 689, 45, 375, 570, 38, 490, 955, 468. 125, 624, 163, , 380, 384, 962, , 2, 609, 483, 516, 251, 732, 198, 392, 79, 10, 975, 300, 314, 132, 227, 953, 234, 445, 185, 202, 506, 788, 93, 120, 419, 819, 886, 51, 236, 112, 889, 831, 206, 91, 748, 594, 892, 123, 191, 266, 869, 369, 897, 572, 595, 955, 122, 160, 120, 736, 474, 440, 848, 535, 513, 419, 500, 323, 501, 357, 295, 144, 476, 796, 709, 670, 648, 894, 915, , 397, 92, 212, 803, 901, 4, 92.

Also one hundred and thirty-four bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen hundred and fifty-seven, marked "Letter G," and numbered thus: 53, 379, 350, 761, 718, 952, 886, 305, 692, 486, 599, 277, 94, , 245, , 268, 3, 677, 623, 839, 135, 303, 611, 521, 807, 293, 973, 710, 589, 730, 591, 836, 996, 757, 921, 980, 694, 581, 9, 953, 580, 279, 664, 889, 116, 957, 644, 174, 773, 276, 655, 69, 336, 531, 726, 356, 199, 205, , 925, 480, 532, 301, 223, 117, 572, 609, 339, 68, 332, 499, 389, 70, 393, 233, 642, 935, 179, 218, 232, 768, 135, 542, 172, 680, 195, 803, 784, 630, 152, 134, 118, 439, 136, 63, 800, 707, 958, 331, 299, , 1, 459, 234, 691, 845, 942, 250, , 269, 95, 19, 650, 906, 570, 939, 897, 534, 603, 909, 278, 186, 104, 835, , 587, 971, 972, 70, 948, 941, 757, 302.

Also one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-fourth day of January, in the year eighteen hundred and fifty-seven, marked "Letter F," and numbered thus: 774.

Also eighty-five bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of May, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 208, 325, 68, 236, 295, 986, 498,
34 253, 252, 547, 461, 316, 819, 694, 938, 672, 250, 160, 920, 102, 307, 6, 71, 246, 679, 459, 35, 601, 227, 638, 714, 794, 532, 711, 182, 788, 199, 242, 55, 939, 997, 49, 578, 915, 519, 339, 161, 963, 400, 299, 969, 63, 776, 571, 992, 693, 95, 29, 731, 827, 600, 966, 961, 526, 637, 735, 218, 816, 874, 75, 164, 48, 298, 347, 278, 608, 493, 576, 389, 268, 165, 748, 854, 166, 517.

Also, eighty-nine bank bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of May, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 949, 705, 386, 466, 917, 110, 321, 493, 670, 150, 111, 351, 734, 937, 419, 540, 341, 385, 269, 308, 818, 716, 75, 713

346, 74, , 480, 602, 654, 45, 759, 676, 920, 179, 711, 120, 320, 811, 544, 869, 718, 950, 166, 560, 659, 327, 1000, 913, 413, 359, 482, 65, 8, 293, 117, 388, 312, 776, 28, 256, 509, 750, 285, 281, 656, 458, 677, 679, 38, 535, 442, 311, 533, 800, 674, 132, 339, 510, 246, 751, 251, 572, 223, 279, 402, 692, 84, 39.

Also, ninety bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 194, 264, 992, 579, 375, 808, 738, 659, 922, 939, 314, 824, 250, 144, 153, 437, 308, 103, 529, 461, 582, 616, 399, 605, 479, 954, 214, 32, 93, 444, 641, 10, 957, 206, 974, 707, 584, 748, 220, 147, 419, 655, 988, 638, 134, 332, 234, 910, 908, 842, 882, 279, 217, 381, 367, 230, 247, 42, 149, 673, 130, 24, 210, 494, 68, 812, 709, 615, 665, 865, 625, 632, 591, 732, 853, 272, 104, 861, 136, 328, 168, 54, 734, 945, 107, 789, 650, 604, 966, 336.

Also, eighty-seven bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 944, 74, 738, 197, 97, 892, 18, 942, 927, 712, 649, 460, 887, 974, 606, 327, 924, 479, 748, 724, 470, , , 793, 627, 779, 237, 345, 372, 796, 312, 519, 641, 274, 551, 700, 514, 393, 467, 966, 94, 374, 585, 140, 495, 501, 944, 536, 892, , 100, 871, 358, 46, 700, 894, 481, 898, 306, 210, 650, 802, 233, 597, 535, 401, 948, 947, 264, 228, 63, 318, 931, 547, 88, 955, 165, 937, 687, 654, 315, 577, 620, 778, 742, 782, 122.

35 Also, eighty-nine bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-fourth day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 187, 271, 402, 647, 938, 230, 157, 908, 113, 614, 911, 474, 727, 441, 247, 121, 353, 89, 178, 982, 99, 188, 965, 314, 118, 336, 635, 411, 260, 189, 236, 882, 254, 861, 720, 215, 210, 630, 950, 765, 935, 25, 69, 313, 76, 790, 414, 55, 591, 194, 85, 922, 736, 884, 616, 81, 999, 931, 686, 644, 652, 494, 775, 692, 112, 215, 958, 512, 87, 343, 581, 528, 433, 582, 406, 80, 774, 619, 266, 397, 631, 45, 68, 179, 249, 481, 729, 685, 585.

Also, eighty-five bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-fourth day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 542, 775, 429, 660, 645, 885, 331, 839, 646, 796, 861, 494, 575, 118, 392, 243, 444, , 85, 985, 271, 439, 186, 722, 886, 305, 624, 242, 484, 449, , 357, 101, 188, 274, 639, 298, 887, 546, , 701, 964, 751, 635, 406, 144, 386, 918, 837, 460, 855, 356, 40, 35, 329, 631, 999, 698, 4194, 201, 628, 700, 929, 470, 333, 474, 937, 904, 709, 443, 448, 506, 509, 310, 53, 31, 49, 222, 380, 519, 677, 634, 749, 102, 58.

Also, one hundred and two bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-sixth day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 518, 57, , 273, 330, 455, 575, 106, 912, 213, 1087, 335, 886, 52, 68, 311, 427, 505, 580, 197, 274, 596, 879, 232, 38, 627, 941, 806, 996, 927, 183, 1015, 1038, 471, 268, 92, 59, 729, 755, , 702, 790, 324, 1077, 1078, 1076, 628, 156, , 482, 804, 453, , 1024, 62, 424, 1050, 645, 825, 291, 204, 287, 821, 801, 845, 139, 1086, 866, 968, 896, 604, 16, 1000, 519, , 1060, 949, 81, 478, 14, 94, 90, 743, 739, , 249, 486, 67, 108, 187, 231, 877, 312, 793, , 1083, 460, , 84, 135, 704, 127.

Also, one hundred and three bank-bills for the sum of five dol-
36 lars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-sixth day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 1013, 374, 432, 1092, 699, 872, 282, , 61, 124, 823, , 529, 1051, 973, 159, 601, 604, 360, 946, 735, 720, 1048, 214, 716, 314, 188, 697, 919, 391, 627, 804, 607, 912, 295, 571, 23, 928, 448, 616, 760, 827, 88, 598, 808, 793, 325, 774, 1097, , 938, 361, 444, 916, 676, 108, , , 789, 219, 311, 90, 382, 766, 1044, 131, 475, 17, 987, 153, 70, 1090, 50, 236, 7, , 12, 299, 1020, 1011, 1056, 606, , 213, , 349, 779, 27, 55, 913, 347, 270, 657, 36, 19, 1012, 1078, 801, 362, 892, 404, 200, 346.

Also, seventy-nine bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-seventh day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 698, 362, 299, 377, 962, 582, 384, 494, 874, 841, 491, 505, 806, 405, 703, 239, 423, 288, 217, 304, 300, 838, 807, 413, 343, 149, 450, 571, 345, 172, 764, 160, 956, 246, 426, 597, 883, 888, 356, 779, 415, 297, 690, 285, 531, 604, 605, 657, 154, 869, 859, 775, 901, 751, 269, 800, 171, 162, 527, 180, 685, 367, 975, 760, 846, 548, 817, 742, 641, 538, 465, 980, 875, 842, 854, 278, 879, 242, 921.

Also, seventy-four bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-seventh day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 175, 358, 150, 401, 971, 264, 897, 138, 471, 574, 577, 302, 284, 652, 747, 751, 219, 315, 334, 450, 774, 265, 536, 452, 517, 299, 572, 884, 157, 880, 396, 397, 620, 631, 404, 724, 625, 796, 194, 495, 693, 477, 914, 999, 335, 643, 232, 231, 148, 756, 795, 778, 524, 840, 644, 211, 946, 755, 570, 722, 156, , 402, 261, 808, 711, 332, 220, 400, 515, 617, 767, 607, 493.

Also, one hundred bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date
the twenty-ninth day of December, in the year eighteen hundred
37 and fifty-six, marked "Letter G," and numbered thus: 935, 22, 455, 679, 394, 731, 864, 123, 49, 171, , 48, 604, 350, 223, 848, 148, 707, 691, 534, 893, 695, 399, 740, 104, 696, , 770, 136, 71, 212, 273, 359, 460, 82, 889, 600, 203, 760, , 277, 393, 90, 797, 470, , 244, 70, 380, , 582, 816, 706, 606, 143, 246, 15, 677, 478, 145, 337, 467, 374, 265, 746, 999, 501, 460, 53, 4, 53, 480, 250, 195, 752, 264, 263, 7, 162, 893, 156, 366, 890, 432, 299, 941, 63, 935, 181, 411, 655, 660, 86, 738, 137, 988, 828, 417, 437, 160.

Also eighty-four bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-ninth day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 459, 277, 596, 310, 905, 988, 681, 645, 619, 565, 593, 319, 62, 500, 479, 464, 752, 50, 146, 209, 248, , 303, 793, 530, 51, 841, 283, 229, 994, 778, 796, 252, 801, 584, 20, 382, , , 460, 373, 600, 196, 199, 897, 307, 727, 53, 523, 409, 39, 393, 872, 944, 392, 692, 235, 446, 638, 138, 290, 16, 613, , 380, 440, 934, 951, , 949, 483, 35, 82, 977, 381, 194, 332, 705, 258, 397, 654, , 78, 403.

Also ninety-three bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 665, 103, 111, 5, 831, 926, 992, 191, 492, 983, 877, 810, 559, 176, 35, 783, 158, 741, 301, 431, 578, 652, 946, 458, 760, 644, 407, 891, 239, 353, 96, 243, 715, 655, 288, 406, 722, 865, 235,

603, 57, 4521, 461, 9, 703, 339, 292, 629, 973, 788, 887, 449, 838, 446, 516, 717, 879, 980, 448, 401, 670, 286, 564, 931, 370, 632, 844, 732, 627, 480, 779, 727, 79, 899, 465, 534, 507, 255, 839, 756, 188, 303, 275, 87, 450, 231, 338, 982, 389, 115, 302, 617, 3.

Also ninety-one bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 893, 98, 797, 776, 218,
38 86, 734, 160, 506, 492, 593, 555, 508, 995, 328, 147, 292, 552, 216, 36, 833, 788, 735, 83, 512, 439, 848, 543, 14, 815, 798, 437, 718, 682, 808, 913, 663, 579, 397, 227, 261, 964, 638, 295, 313, 972, 767, 539, 550, 390, 127, 766, , 303, 88, 172, 54, 731, 918, 419, 387, 332, 668, 255, 970, 811, 530, 462, 939, 557, 380, 403, 934, 44, 635, 675, 647, 932, 473, 436, 650, 230, 961, 169, 711, 236, 413, 839, 994, 503, 103.

Also twenty-five bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, marked "Letter F," and the date and number are illegible.

Also thirty bank bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, marked "Letter G," and the date and number are illegible.

Also sixteen bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter F," and numbered thus: 4969, 251, 720, 5339, 2541, 1979, 5473, 4298, 897, 3134, 4933, 2559, 367, 5983, 3473, 3827.

Also ten bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and sixty, marked "Letter G," and numbered thus: 1054, 1504, 4032, 214, 5534, 3977, 270, 3133, 4308, 407.

Also eight bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter F," and numbered thus: 962, 963, 966, 965, 246, 654, 964, 424.

Also nine bank-bills, for the sum of five dollars each, payable
39 as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter G," and numbered thus: 962, 961, 138, 963, 964, 965, 966, 651, 364.

Also five bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-ninth day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 861, 414, 761, 302, 86.

Also two bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-ninth day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 76, 796.

Also two bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen hundred and fifty-seven, marked "Letter F," and numbered thus: 38, 378.

Also two bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 847, 254.

Also one bank bill, for the sum of five dollars, payable as aforesaid,

signed and countersigned as aforesaid, bearing date the sixteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 329.

Also five bank-bills, for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the
40 twenty-fourth day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 261, 360, 24, 521, 771.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 63.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of January, in the year eighteen hundred and fifty-seven, marked "Letter F," and numbered thus: 487.

Also, three bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen hundred and fifty-seven, marked "Letter G," and numbered thus: 716, 724, 558.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 801.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 470.

Also, two bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of December, in the year eighteen hundred and fifty-six,
41 marked "Letter F," and numbered thus: 69, 414.

Also, two bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of June, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 546, 767.

Also, two bank-bills for the sum of five dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 175, 998.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 828.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twentieth day of June, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 833.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-seventh day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 123.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-sixth day of December, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 669.

42 Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of December, in the year eighteen hundred and fifty-six, marked "Letter G," and numbered thus: 930.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 745.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the ninth day of July, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 325.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of January, in the year eighteen hundred and fifty-seven, marked "Letter F," and numbered thus: 836.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of May, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 436.

Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twentieth day of June, in the year eighteen hundred and fifty-six, marked "Letter F," and numbered thus: 263.

43 Also, one bank-bill for the sum of five dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of January, in the year eighteen hundred and fifty-seven, marked "Letter G," and numbered thus: 2.

Also eighteen bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of January, in the year eighteen hundred and fifty-seven, marked "Letter E," and numbered thus: 180, 72, 954, 380, 17, 621, 382, 828, 319, 24, 349, 675, 750, 513, 395, 95, 727, 988.

Also nineteen bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of January, in the year eighteen hundred and fifty-seven, marked "Letter E," and numbered thus: 33, 68, 709, 433, 753, 236, 897, 698, 772, 13, 368, 603, 664, 682, 714, 459, 282, 684, 440.

Also three bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of January, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 469, , 671.

Also one bank bill for the sum of three dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of January, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 363.

Also seventeen bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-first day of January, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 508, 273, 158, 972, 111,

44 507, 535, 341, 396, 292, 992, 229, 298, 430, 295, , .

Also, twenty-nine bank bills for the sum of three dollars each payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of May, in the year eighteen hundred and fifty-six, and numbered thus: 175, 707, 996, 924, 765, 140, 43, 215, 61, , 30,

50, 442, 642, 648, 627, 131, 772, 80, 557, , 279, 668, 357, 570, 221, 292, 329, 213.

Also, six bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 125, 762, 545, 999, , 970.

Also six bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of June, in the year eighteen hundred and fifty-seven, marked "Letter E," and numbered thus: 23, 453, , 838, 564, 814.

Also, twenty-eight bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourth day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 167, 236, 230, 24, 591, 220, 640, 212, 198, 888, 16, 210, 97, 638, 579, 891, 594, 709, 18, 293, 500, 840, 80, 677, 900, 557, 976, 94.

Also, two bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifth day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 316, 925.

45 Also, fifteen bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-nine, marked "Letter E," and numbered thus: 17, 294, 226, 986, 177, 581, 618, 471, 589, 865, 726, 413, 117, 893, 931.

Also, thirty-two bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixteenth day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 553, 543, 964, 229, 143, 857, 136, 284, 59, 58, 482, 296, 479, 531, 381, 496, 426, 998, , 501, 214, 483, 933, 318, 28, 304, 467, 357, 634, 149, 664, 903.

Also, nine bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventeenth day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 77, , 96, 321, 443, 293, 230, , 330.

Also, fifteen bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twentieth day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 227, 429, , 113, , 436, , 499, 613, 663, 468, , 160, 40, .

Also, twenty-two bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of June, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: , , , , 284, , 37. , 54, 961, 259, , 192, , 376, 379, 919, 6, , 856, 169, 298.

46 Also, four bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of July, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 643, 293, , 522.

Also four bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of July, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 861, 286, 279, 261.

Also twenty-two bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the

eighth day of July, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: , 184, 864. 247, 901, 752, 160, 842, 79, 897, , 312, , 950, , 364, , 999, 831, 62, 226, 162.

Also eighteen bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the ninth day of July, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: , 354, 357, 257, 177, 793, , 486, 899, 357, 879, , 920, 142, , 404, 836, 854.

Also six bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 796, 337, 713, 659, 411, 646.

Also twenty-nine bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-third day of December, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 481, 386, , 228,
47 376, 228, 401, 892, 132, 337, 848, 763, 305, , 332, , 391, 718, 977, 828, , , 62, 467, 13, 643, 459, 206, 93.

Also, thirty bank bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-fourth day of December, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 25, 421, 338, 407, 713, 383, 63, 312, 661, 545, 65, , 233, 105, 793, 926, , 827, 537, 348, 379, 615, 397, , 384, 893, 792, 779, 282, 131.

Also, fifteen bank-bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-sixth day of December, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 32, , 225, , 54, 224, 725, 7, 68, 835, 164, 1064, , 223, 682.

Also, twenty-one bank-bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-seventh day of December, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 495, 206, 632, 428, 850, 779, 736, 672, 214, 797, 852, 601, 919, 980, 845, 792, 983, 552, 170, 840, 391.

Also, twenty-two bank-bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-ninth day of December, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 292, 520, 34, 238, 488, 144, 749, 945, 270, 703, 343, 369, 285, 579, 840, 473, 677, 284, 263, 274, 69, 795.

Also, fifteen bank-bills for the sum of three dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date
48 the thirty-first day of December, in the year eighteen hundred and fifty-six, marked "Letter E," and numbered thus: 613, 331, 847, 121, 276, 653, 594, 645, 819, 350, 901, 520, 256, 182, .

Also, seventeen bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the third day of January, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: 562, 361, 36, , 99, 207, 956, 409, 648, 605, 269, 971, 971, 870, 710, 583, 534.

Also, twenty-three bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of January, in the year eighteen hundred and fifty-seven, marked "Letter L," and numbered thus: 448, 563, 611, , 739, 736, , 168, 278, 432, 578, 668, 296, 641, 225, 665, 305, 367, 533, 709, 947, 921, 961, 192.

Also, nineteen bank-bills for the sum of two dollars each, payable as

aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of January, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: 517, , 236, , 39, 653, 536, 818, 466, 442, 449, 779, 280, 322, 986, 958, 30, 210, 650.

Also, twenty-six bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of January, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: 393, 942, 283, 222, 712, 709, 790, 556, 11, 549, 205, 507, 504, 702, 162, 119, 217, 794, 974, 876, 858, 208, 320, 992, 94, 373.

Also, four bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the
49 twenty-fifth day of January, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 246, 754, 654, 187.

Also, twelve bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eleventh day of February, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 782, 737, 611, 646, 541, 572, 456, 428, 429, 851, 987, 404.

Also, ten bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the tenth day of February, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 199, 121, 288, 229, 359, 216, 306, 368, 130, 268.

Also, one bank-bill for the sum of two dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of February, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: .

Also, twenty-six bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixteenth day of March, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: , , 22, 971, 181, 350, 245, 250, 755, 549, 304, 689, 719, 780, 523, 875, 442, 727, 78, 375, 733, 950, 453, 173, 504, 573.

Also, twenty-four bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fifteenth day of March, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 274, 539, 747, 816, 896, 762, 646, 952, 632, 362, 924, 474, 536, 72, 467, 541, 863, 760, 689, 369, 143, 514, 756, 623.

50 Also, two hundred and twenty-nine bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of June, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: , 932, 935, 634, 316, 504, 597, 85, 126, 123, 237, 803, 249, 600, 184, 79, 101, 635, 657, 358, 702, 370, 222, 782, 767, 114, , 423, 202, 622, 735, 103, 744, 872, 920, 367, 572, 642, 541, 489, 975, 61, 762, 684, 621, 872, 224, 267, 32, 877, 469, 737, 119, 499, 500, 626, 819, 648, 150, 463, 945, 623, 368, 296, 881, 196, 366, 885, 258, 909, 892, 298, 215, 803, 472, 370, 973, 996, 579, 43, 917, 819, 39, 788, 396, 943, 353, 63, 483, 399, 410, 483, 388, 156, 662, 125, 321, 307, 642, 144, 569, 455, 910, 637, 42, 906, 10, 884, 913, 132, 816, 548, 25, 405, 9, 631, 379, 227, 217, 145, 20, 699, 304, 665, 625, 993, 298, 242, 1 10, 820, 853, 379, 369, 601, 283, 625, 974, 524, 430, 796, 604, 172, 414, 625, 620, 209, 955, 423, 315, 627, 359, 485, 201, 417, 540, 935, 100, 304, 208, 499, 91, 764, 241, 388, 416, 730, 896, 397, 504, 776, 877, 465, 42, 383, 961, 779, 129, 344, 572, 132, 325, 909, 300, 232, 700, 481, 785, 890, 126, 428, 538,

881, 668, 886, 950, 142, 395, 654, 305, 208, 681, 91, 663, 189, 849, 269, 328, 895, 702, 187, 704, 381, 427, 447, 210, 264, 51, 555, 630, 817, 840, 944, 365, 894, 918, 437, 208, 8, 336.

Also, thirty-one bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of June, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: , 925, 996, 228, 882, 31, 299, 290, 96, 738, 663, 687, 756, 547, 316, 683, 351, 345, 334, 23, 719, 795, 380, 767, 745, 530, 150, 479, 89, 659, 43.

Also, sixteen bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the fourth day of June, in the year eighteen hundred and fifty seven, marked "Letter D," and numbered thus: 692, , , 277, 746, 535, 753, 437, , 18, 57, 876, 785, 72, 910, 624.

51 Also, eight bank bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the sixth day of June, in the year eighteen hundred and fifty-seven, marked "D," and numbered thus: 16, 231, , 535, 118, , , 520.

Also, eighteen bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the first day of July, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 229, , , 317, 49, 331, 12, , 579, 325, 327, , 347, 780, 182, 323, 310, 80.

Also, twelve bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the second day of July, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 54, 167, 690, 954, 408, 372, 543, 197, 750, 853, 206, 883.

Also, eleven bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of July, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 138, ,746, 748, 655, , 746, 328, 591, 522, 906.

Also, twenty-two bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: 713, 374, 310, 285, 672, 731, 732, 318, 85, 195, 448, , 368, 426, , 847, , 196, 602, , 848, 343.

Also, nineteen bank-bills for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the
52 nineteenth day of July, in the year eighteen hundred and fifty-six, marked "Letter D," and numbered thus: , 835, 198, 405, 466, 117, 387, 506, , , 331, 606, , 845, , 772, , 405, 259.

Also, twenty-seven bank-bills, for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the eighth day of June, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: 324, 399, 217, 392, 394, 298, 320, 279, 393, 318, 395, 333, 303, 187, 568, 132, 729, 495, 209, 338, 70, 308, 265, 657, 371, 684, 805.

Also, twenty-three bank-bills, for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, bearing date the twenty-fourth day of June, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: 764, 466, 356, 250, 502, 83, 309, 999, 467, 473, 378, 348, 415, 665, 101, 310, 693, 158, 418, 450, 924, 733, 761.

Also, seven bank-bills, for the sum of two dollars each, payable as

aforesaid, signed and countersigned as aforesaid, bearing date the thirtieth day of June," in the year eighteen hundred and fifty-seven, marked "Letter D, and numbered thus: , , , 499, 44, 989, .

Also, eighty-five bank-bills, for the sum of two dollars each, payable as aforesaid, signed and countersigned as aforesaid, marked "Letter D," and the date and number are illegible.

Also, one bank-bill for the sum of two dollars, payable as aforesaid, signed and countersigned as aforesaid, bearing date the seventh day of January, in the year eighteen hundred and fifty-seven, marked "Letter D," and numbered thus: 445.

53 Said bank-bills making, in the aggregate, the sum of one hundred and nine thousand one hundred and seventy-one dollars. All of said bank-bills and copies thereof are of file in the office of the clerk of this court, and are here ready to be shown.

And afterwards, to wit, on the day the said bills were so issued, the said bank-bills came into the hand and possession of your petitioner for a good and valuable consideration, then and there paid by him, who is now the holder and bearer thereof.

Your petitioner afterwards, to wit, on the first day of October, in the year eighteen hundred and sixty-seven, in Savannah, in the county of Chatham, State of Georgia, and in the said southern district of Georgia, being the lawful owner and bearer of said bank-bills and exclusively entitled to receive the money due on said bills, presented the same, then unpaid, to the said president and cashier of said bank at their usual place of business, the said bank having ceased to do business and hving no office or other place for the transaction of business, for payment, and then and there, as the holder and bearer of said bills, demanded payment of the same, which was then and there refused.

And afterwards, to wit, on the seventeenth day of October, in the year eighteen hundred and sixty-seven, your petitioner instituted his suit against said bank for the recovery of the money due on said bills in the fifth circuit court of the United States for the southern district of Georgia, and afterwards, at the November term of said court, to wit,

54 on the 27th day of November, in the year eighteen hundred and sixty-seven, he recovered, by the judgment of said court, of said bank, the sum of one hundred and nine thousand one hundred and seventy-one dollars for his principal debt, and the sum of six hundred and thirty-six dollars and thirty cents for his interest on said principal sum from the seventeenth day of October, in the year eighteen hundred and sixty-seven, to the twenty-seventh day of November, eighteen hundred and sixty-seven, and the sum of ten thousand nine hundred and seventeen dollars as damages, with his costs, as by the record of said judgment in said court remaining fully appears, which judgment is now of full force, not annulled, reversed, satisfied, nor appealed from, of all of which the said defendant had due notice.

And that upon said judgment, afterward, to wit, on the second day of March, eighteen hundred and sixty-eight, execution regularly issued, and on the twenty-third day of May, eighteen hundred and sixty-eight, was, by the marshal for the district of Georgia, duly returned into office, with the entry, "I have made due and diligent search, and find no property in the bail'wick on which to levy under this fi. fa.," which your petitioner avers to be true, and says that said bank is insolvent and unable to pay its bills or notes issued by it, and has suspended business, is wholly insolvent, and without property out of which satisfaction of said judgment can be had, and your petitioner avers that

said bank had at no time in circulation nor had issued more than the sum of fourteen hundred thousand dollars of its bills or notes, and had not in circulation at the time of the institution of said suit by your petitioner, nor at this time, more than the sum of eight hundred
55 thousand dollars, and that it does not owe by its bills or notes at this time more than the sum last aforesaid.

By means whereof, and by force of the statute aforesaid, an action hath accrued to your petitioner to have and recover of the said defendant, in his individual and private capacity, the said sum of one hundred and nine thousand one hundred and seventy-one dollars, with interest thereon, for the redemption of the bills so held and owned by him as aforesaid.

Yet the said George Hall in his life-time, and the said Thomas R. Mills, j'r, as his administrator as aforesaid, although so indebted and often requested so to do, has not paid your petitioner the sum of money aforesaid, nor any part thereof, but the same to pay hath hitherto wholly neglected and refused, and still doth neglect and refuse to the damage of your petitioner two hundred thousand dollars.

Wherefore your petitioner prays process may issue requiring the said Thomas R. Mills, as administrator as aforesaid, to be and appear at the clerk's office of said court, in the city of Savannah, at rules to be had on the first Monday in February next, and to answer in the premises.

A. W. STONE AND WILLIAM DOUGHERTY,
Plaintiff's Attorneys.

And afterwards, to wit, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and seventy, the following process was issued:

56 *Process.*

In the fifth circuit court of the United States for the southern district of Georgia.

UNITED STATES OF AMERICA,
Southern Dist. of Georgia:

LEVI H. B. SCOTT
vs.
THOMAS R. MILLS, J'R, ADM'R OF ESTATE OF George Hall, dec'd. } Debt.

The President of the United States to the marshal of the district of Georgia, greeting:

The defendant, Thomas R. Mills, j'r, adm'r, &c., is hereby required personally or by attorney, to be and appear at the clerk's office of said court, in the city of Savannah, at rules to be had on the first Monday of February next, then and there to answer the plaintiff in an action of debt, as in default thereof the said court will proceed as to justice shall appertain.

Witness the honorable Salmon P. Chase, Chief-Justice of the Supreme Court of the United States, this thirtieth day of December, in the year of our Lord one thousand eight hundred and seventy.

[SEAL OF COURT.] JA'S MCPHERSON, *Clerk.*

A. W. STONE AND W'M DOUGHERTY,
Plaintiff's Attorneys.

57 And afterwards, to wit, on the day and year last aforesaid, and before the return day of said writ, came the said marshal and returned the same, with his return indorsed in writing thereon, as follows:

Marshal's return of service.

I have this day served the defendant, Thomas R. Mills, j'r, personally, with a copy of the within writ at Savannah, G'a, December 30th, 1870.
The return of—

W'M H. SMYTH,
U. S. Marshal.
By C. P. FREEMAN, *Deputy.*

(Endorsed:) B. 223. Bank. In the fifth circuit court of the United States for the southern district of Georgia. Rules 18. Levi H. B. Scott versus Thomas R. Mills, j'r, adm'r of George Hall, dec'd. Original. Filed the 30th day of Dec'r, 1870. Ja's McPherson, clerk. A. W. Stone and William Dougherty, plaintiff's attorneys.

58 *Pleas of defendant.*

In the fifth circuit court of the United States for the southern district of Georgia.

THOS. R. MILLS, J'R, ADM'R OF GEORGE HALL, deceased, *ats.* LEVI H. B. SCOTT. } Debt.

And the said defendant, Thomas R. Mills, j'r, as administrator of the estate of George Hall, deceased, by his attorneys, Hartridge & Chisholm, now comes and defends the wrong and injury when, &c., and says that the said George Hall, deceased, in his life-time did not owe, and that this defendant does not detain the said sum of money above demanded, or any part thereof, in manner and form as the said plaintiff above thereof complained against him, and of this the said defendant puts himself upon the country.

And for further plea in this behalf the said defendant says, that the said plaintiff ought not to have or maintain his aforesaid action thereof against him because, he says, that the several supposed causes of action in the said declaration mentioned did not, nor did any of them, or either of them, accrue to the said plaintiff at any time since the first
59 day of June, eighteen hundred and sixty-five, and that the several supposed causes of action accrued to the said plaintiff prior to the said first day of June, eighteen hundred and sixty-five, and that the said suit and action of the said plaintiff was not commenced against this defendant prior to the first day of January, eighteen hundred and seventy, by reason of which facts, and by virtue of an act of the general assembly of the State of Georgia, approved on the sixteenth day of March, eighteen hundred and sixty-nine, entitled, "An act in relation to the statute of limitations, and for other purposes," the said right of action of the said plaintiff was barred at the time of the commencement of the suit, and this the said defendant is ready to verify. Wherefore, he prays judgment if the said plaintiff ought to have or maintain his aforesaid action thereof against him.

And for a further plea in this behalf the said defendant says, that the

said plaintiff ought not to have or maintain his aforesaid action thereof against him because, he says, that the several supposed rights of action in the said declaration mentioned actually accrued to the said plaintiff long before the first day of January, (1870) eighteen hundred and seventy, and are upon several supposed liabilities which were in existence prior to the first day of June, eighteen hundred and sixty-five, and that the said suit and action of the said plaintiff was not commenced against this defendant prior to the first day of January, eighteen hundred and seventy, by reason of which facts and by virtue of an
60 act of the general assembly of the State of Georgia, approved on the sixteenth day of March, eighteen hundred and sixty-nine, entitled "An act in relation to the statute of limitations, and for other purposes," the said right of action of the said plaintiff was barred at the time of the commencement of the suit, and this the said defendant is ready to verify. Wherefore, the prays judgment if the said plaintiff ought to have or maintain his aforesaid action thereof against him.

HARTRIDGE & CHISHOLM,
Def't's Att'ys.

Defendant also filed a plea of plene administravit praeter, which is not necessary to the consideration of the questions involved in this bill of exceptions.

By consent of counsel and permission of the court, the foregoing pleas of the statute of limitations were amended by inserting in each plea, after the words "because he says," the following allegations: "That all of the said bills of the said bank, in said declaration mentioned, were issued by said bank before the 31st day of May, 1865, and none since that time, and that at said last named date, and continuously since that time, said bank has been notoriously insolvent, and had, and ever since that time has, ceased to transact business or to keep any banking
61 office or place of business, and all of said bills have since that time ceased to circulate as money or currency and."

(Endorsed:) Pleas. Filed April 7, 1871. Ja's McPherson, clerk.

Demurrer to defendant's plea.

LEVI H. B. SCOTT
vs.
THOMAS R. MILLS, J'R, ADM'R, &C., OF GEO. HALL, dec'd. } Debt.

To the defendant's plea setting up the act of limitations of Georgia of March 16, 1869, in *for* of this suit the plaintiff demurs, and says that the same is not sufficient in law, and therefore prays that the same be stricken.

A. W. STONE,
AMOS T. AKERMAN,
Pl'ff's Att'ys.

Joinder in demurrer.

And the defendant saith that his said plea setting up the statute of limitations of the State of Georgia of March 16th, 1869, above demurred to, as pleaded above, and the matters therein contained in manner
62 and form as the same are above pleaded and set forth, are sufficient in law to bar and preclude the said plaintiff from having or

maintaining his aforesaid action thereof against him, the said defendant, and the said defendant is ready to verify and prove the same when, where, and in such manner as the said court here shall direct and award. Wherefore, inasmuch as the said plaintiff hath not answered the said plea, nor hitherto in any manner denied the same, the said defendant prays judgment, and that the said plaintiff may be barred from having or maintaining his aforesaid action thereof against him the said defendant, &c.

HARTRIDGE & CHISHOLM,
Att'ys for Def't.

(Endorsed:) Demurrer to defendant's pleas, & joinder in demurrer. Filed Dec. 22, 1873. Ja's McPherson, clerk.

It was considered by agreement of defendant that the facts should be considered as set forth in the pleas, and consequently it was admitted by defendant in argument of demurrer that George Hall died in 1868, domiciled in the State of Connecticut, leaving a will; that there was no administration in Georgia on his estate until April 9th, 1869, when letters of administration ad colligendum were granted to said Thomas R. Mills, j'r, and that permanent letters of administration cum testa-
63 mento annexo were granted by the ordinary of Chatham County, Georgia, to said Thomas R. Mills, j'r, on said estate on the seventh day of June, anno Domini eighteen hundred and sixty-nine (1869).

After hearing argument on said demurrer the court reserved its decision, and on the 22nd day of December, 1873, his honor Judge Erskine delivered his decision as follows, and sustained the demurrer to the plea of defendant of the statute of limitations of the State of Georgia of March, 1869, and passed the following order:

Decision of the court.

United States circuit court, southern district of Georgia, November term, 1873.

WILLIAM N. MARSH ET AL.
vs.
BURROUGHS ET AL., AND T. R. MILLS, J'R, ADministrator cum. tes. annexo of Geo. Hall, deceased. } In chancery.

LEVI H. B. SCOTT
vs.
SAME. } Action at law.

64 ERSKINE, J.

The questions presented being similar, the cases were argued in connection with each other. These suits are two of the numerous cases which have, under various phases, been pending here for years, and known as the "Bank cases." Many of these cases have, from time to time, been disposed of by decrees, judgments, or compromises, but the question now presented is quite different from any which has hitherto come before the court for determination. No special statement of the contents of the bill or the declaration is necessary to an understanding of the questions given for decision. Suffice it to say, that the bill prays

a decree for seventy-five thousand dollars against the estate of the deceased for unpaid subscription upon his stock in the Merchants and Planters' Bank; and in the common law action, the plaintiff demands one hundred thousand dollars as due to him as a holder of notes or bills of this bank, the estate of the deceased being, as is alleged, liable for the same.

All questions, except the precise one presented for adjudication, may be left out of view. Two pleas in bar are before me. One to the bill, and the other to the declaration. They are substantially alike, and are based upon the act of the general assembly of this State, approved March 16, 1869. The statute is entitled "An act in relation to the statute of limitations, and other purposes." The complainant (Marsh) filed exceptions to the plea put into the bill, and Scott demurred to the plea in bar to his action. The pleas allege that the supposed causes of action accrued prior to the first of June, 1865, and that they did
65 not accrue subsequently to that period, and this allegation is not controverted by Marsh or by Scott in their pleadings.

The third section of the act is as follows: "That all actions on bonds or other instruments under seal, and all suits for the enforcement of rights accruing to individuals or corporations under the statutes or acts of incorporations, or in any way by operation of law, which have accrued prior to 1st of June, 1865, not now barred, shall be brought by the 1st of January, 1870, or the right of the party, plaintiff or claimant, and all of right of action for its enforcement shall be forever barred."

"SEC. 4. That all actions on promissory notes, bills of exchange, or other simple contracts in writing, and all actions on open accounts, or for breach of any contract not under the hand of the party sought to be charged, or upon any implied assumpsit or undertaking, which accrued on a contract which was made prior to 1st of June, 1865, not now barred shall be brought by the 1st of January (1870) next after the passage of this act, or the right of the party, plaintiff or claimant, and all right of action for its enforcement shall be forever barred."

Section five relates to all actions against administrators, trustees, &c., which accrued prior to 1st of June, 1865, and enacts that they shall be brought by 1st of January, 1870; and section six declares that there shall be no recovery on any liability whatsoever which accrued prior to 1st of June, 1865, when the action is not brought by 1st of January, 1870. Section nine repeals conflicting laws.

Turning to section 2530 of the code, there it is declared that
66 "the administrator shall be allowed twelve months from the date of his qualification to ascertain the condition of the estate."

Section 2548 enacts that "No suit to recover a debt due by the decedent shall be commenced against the administrator until the expiration of twelve months from his qualification."

Hall domiciled in Connecticut, died there in the autumn of 1868, testate, leaving real estate in Georgia disposed of by his will. There was no representation here until the 8th of April, 1869, when the defendant, Mills, was appointed temporary administrator, and he held this office until the 7th of June, 1869, when permanent letters were granted to him as administrator, with the will annexed. The bill in equity referred to was filed by Marsh against one Burroughs and others, on the 24th of September, 1868, but Mills was not made a party to the bill until the 7th of August, 1871. On the 20th of December, 1870, Scott brought the action at law against Mills as administrator as aforesaid. Adverting to the act of March 16, 1869, it will be seen that from its date to the 1st of January, 1870, the time prefixed by the statute for the closing

of the limitation is nine months and fifteen days, and this court has (per Erskine, J.) ruled, on more than one occasion, that this is a reasonable time within which a creditor whose right of action accrued anterior to the 1st of June, 1865, and which was current on the 16th of March, 1869, may institute his suit.

Whether the general rule, as laid down by this court, is attended with exceptions, I will endeavor to indicate as just mentioned. Mills
67 received his permanent appointment on the 7th of June, 1869, two months and twenty-one days after the passage of the limitation act, and consequently nearly seven months before the first of January, 1870; and it was not until the 7th of August, 1871, that he was brought before this court as a defendant in the equity suit. This was two years and two months subsequent to the granting of the permanent letters, and fourteen months subsequent to the expiration of the time of exemption from suit given to an administrator by S. 2548 of the code.

It was insisted by defendant that the twelve months' protection from pursuit by action allowed to an administrator was repealed by the act of March 16, 1869, but if not so, still the cause of complaint alleged in the bill against Mills was nevertheless barred on 7th of August, 1871, the date on which he was made defendant, because, as was contended, the twelve months saved to the administrator expired on the 7th of June, 1870, and allowing nine months and fifteen days to be added to the twelve months, that still the complainant was not within time, for he did not proceed against Mills until the 7th of August, 1871, some four or five months after the bar had attached.

For the complainant it was argued that the twelve months' exemption was not repealed by act of March 16, 1869; but if repealed, such repeal is ineffectual to bar the suit of complainant, for this would impair the obligation of contracts.

I will first direct my attention to the constitutional question made by counsel for complainant. As already shown, Hall was deceased
68 when the act of March 16, 1869, was passed, and no administration was taken out until nearly three months after the date of this enactment. It cannot, I apprehend, be safely contended that when a party has a subsisting right of action, which will be barred by a time certain, that he is compellable to institute proceedings to recover its fruits before the last day of the limitations. Assuming the legal correctness of this, it follows that Marsh had, at least, to the last day of 1869 in which to bring his suit against Mills. Now, suppose Hall had not died until, say, the middle of December, 1869, and the twelve months exemption stood repealed, Marsh would be environed with insurmountable difficulties which he could not have foreseen, and so avoided.

As no administrator could have been qualified by the ordinary intermediate the death of Hall and the period fixed for the bar, Marsh's dilemma would have been this: The statute says sue by the 1st of January, 1870, and the only reply he could make is, there is no one subject by law to answer the writ or subpœna. If the case under consideration was like the suppositive one, I should be inclined to hold a State statute that produced such a consequence violative of the Constitution of the United States; for by thus depriving a party of all remedy it works a forfeiture of his rights, without fault on his part. But there was a legal representative of Hall in Mills, the administrator, with the will annexed, and who had qualified as such seven months or a little less anterior to the 1st of January, 1870, and if the twelve months' exemption from suit

has been repealed by the act of March 16, 1869, he could have
69 been sued before the right of action would have been barred. This fact, however, in its result would be very much like class legislation, so far, at least, as Marsh would be affected; for as there was no representative of the estate of Hall for nearly three months after the passage of the act of March 16, 1869, the nine months and fifteen days allowed to sue in would be diminished to less than seven. (Constitution of Georgia, art. 1, s. xxvi.) Moreover, whether this would be a reasonable time in which to bring civil suits or be barred I am not called upon to determine. But has the twelve months' exempted to an administrator by s. 2548 of the Code been repealed? This is the prime question. Mr. Justice McLean in delivering the opinion of the Supreme Court of the United States in McChenney vs. Salliman (3 Peters, 270), said: "Under this statute (34th section of the judiciary act of 1789) the acts of limitations of the several States, where no special provision has been made by Congress, form a rule of decision in the courts of the United States; and the same effect is given to them as is given in the State courts." The rule of action is formed in the different States as it may have been adopted and modified by legislation or a course of judicial decision. The rule of decision must be found in the local laws, written or unwritten.

If the act of March 16th, 1869, does not repeal the twelve months' exemption from suit allowed to administrators, and after a careful consideration of the entire statute I think it does not repeal the exemption given to administrators; therefore, I am of the opinion that it is
70 a valid law, and in consonance with the Constitution of the United States.

The following case (Moravian Seminary vs. Atwood et al.) was recently decided by the supreme court of Georgia, Trippe, J., pronouncing the opinion:

"An account was contracted and due in September, 1862. Administration was granted on the estate of the debtor in September, 1869, it not appearing on the record when he died. Suit was instituted on the account in October, 1871. Held, that the plaintiff was barred by the statute of limitations of March 16, 1869. Even though the plaintiff may not have been entitled to have brought suit against the administration by the 1st of January, 1870, which we do not determine, the spirit and equity of the statute requires that it should have been commenced within a period after twelve months from the grant of administration, which was equal to the time allowed by the statute for bringing suits on such debts, to wit, from the date of the passage of the act to the 1st of January, 1870."

Mills not having been made a party defendant to the bill filed on the 24th of September, 1868, by Marsh, against Burroughs and others until after the expiration of the nine months and fifteen days immediately following the twelve months' exemption from suit given an administrator by the code, I overrule the exceptions filed by the complainant and decree the plea to be a full bar to the bill; and it is further ordered that the bill be dismissed as to Mills at cost of complainant.

The common-law action having been instituted by Scott against
71 Mills on the 30th of December, 1870, and within the nine months and fifteen days immediately following the twelve months' exemption from action allowed to an administrator by the code, it is ordered and adjudged that the demurrer to the plea be sustained.

Filed December 22, 1873.

Order sustaining demurrer and striking off plea.

LEVI H. B. SCOTT
vs.
THOMAS R. MILLS, JR., ADMINISTRATOR, WITH the will annexed, of George Hall, deceased. } Debt.

Upon hearing of the plaintiff's demurrer to the defendant's plea of the act of limitations of the State of Georgia of March 16, 1869, it is ordered that the demurrer be sustained and that said plea be stricken out. Dec'r 22, 1873.

JOHN ERSKINE, *Judge.*

To which ruling, decision, and order the defendant then and there excepted; to the decision and ruling as soon as made and to said order as soon as granted; which exceptions were noted by the court.

72 The case then proceeded to the jury, who found a verdict for the plaintiff, as follows:

(Endorsed:) Order sustaining and dismissing plea of stat. of lim. of 1869. Filed Dec'r 22, 1873. Ja's McPherson, clerk.

Verdict and judgment.

LEVI H. B. SCOTT
vs.
THOMAS R. MILLS, ADMINISTRATOR, WITH THE will annexed, of George Hall, deceased. } Debt.

Afterwards, to wit, on the twenty-second day of December, one thousand eight hundred and seventy-three, before the judges of the said court came the within-named plaintiff, by his attorneys within named; and the said defendant, by his attorneys, also came, and the jurors of the jury, to wit, (1) R. B. Connor, foreman, (2) Clark Wadkins, (3) Brutus Baker, (4) John Overstreet, (5) Peter McDonough, (6) Brister Green, (7) W'm F. Curry, (8) Rowan Warren, (9) H. H. Sassuett, (10) W'm Pollard, (11) W. L. Clay, (12) Frank Lamar, likewise came, who, being called, elected, tried, and sworn to speak the truth of the within contained,

73 upon their oaths say:

"We, the jury, find for the plaintiff the sum of one hundred thousand dollars, with costs of suit, of which the sum of thirty-one thousand three hundred and fifty-four dollars and twenty-three cents (31,354.23) is to be made of the property of said deceased in the hands of the said defendant to be administered, and the residue, sixty-eight thousand six hundred and forty-five dollars and seventy-seven cents (68,645.77) is to be made of the property of said decedent when the same shall come to the hands of his said administrator."

Therefore it is considered that the said plaintiff do recover against the said defendant his debt aforesaid, by the jurors of the jury aforesaid, in form aforesaid assessed, viz, the sum of thirty-one thousand five hundred and fifty-four dollars and twenty-three cents, to be levied and made of the property, goods, chattels, lands, and tenements of the said George Hall in the hands of the said defendant Thomas R. Mills, administrator, to be administered, and the residue, the sum of sixty-eight thousand six hundred and fifty-four dollars and seventy-seven cents, to be levied and made of the property of said decedant, George Hall, when the same shall come to the hands of his said administrator, the

said Thomas R. Mills, and also the sum of seventy-two dollars and ten cents for his costs and charges aforesaid to the said plaintiff, by the said court, now hereof increase adjudged, with his assent.

And the said defendant in mercy, &c.

A. W. STONE,
A. T. AKEMAN,
Pl'ff's Att'ys.

Judgment signed and filed this 22 day of December, 1873.
JAS. McPHERSON, *Clerk.*

And the court then and there, before the adjournment and end of the term, passed the following order by consent of counsel:

Consent order as to time.

74 Fifth circuit court of the United States for southern district of Georgia, November term, 1873.

LEVI H. B. SCOTT
vs.
THOMAS R. MILLS, J'R, CUM TESTAMENTO annexo on estate of George Hall. } Debt.

In above case, the court having ordered the plea of defendant of the statute of limitations of the State of Georgia, of March, 1869, to be stricken , as not availing said defendant, and defendant by his counsel having excepted to said decision and ruling and the verdict of the jury, which exception is noted by the court before jury discharged, it is ordered, on consent of counsel, that defendant have thirty days from this date in which to frame and file his exceptions to said decision, and to the verdict of the jury this day rendered in said case; said exceptions, when so filed in accordance with this order, to have the same effect as if filed during this term of this court, and subsequent proceedings to date from time of such filing.

We consent to the above order.
December 22nd, 1873.

A. T. AKERMAN,
A. W. STONE,
Att'ys for Plaintiff.
HARTRIDGE & CHISHOLM,
Att'ys for Def't.

75 And for the reason that none of said exceptions appear of record in this cause, the defendant now comes, within the time allowed by the said order of said court, and asks that this, its bill of exceptions, may be signed, sealed, enrolled, and made of part of the record in this action.

And it is done this 14th day of January, 1874.
[L. S.] JOHN ERSKINE,
Judge.

And defendant asks a reversal of the decision and ruling of the said circuit judge.

HARTRIDGE & CHISHOLM,
For Defendant.

(Endorsed:) Bill of exceptions. Filed January 17th, 1874. Jas. McPherson, clerk.

76 *Writ of error.*

UNITED STATES OF AMERICA, *ss:*

The President of the United States to the honorable the judges of the circuit court of the United States for the southern district of Georgia, greeting:

Because in the record and proceedings as also in the rendition of the judgment of a plea which is in the said circuit court, before you in a case between Levi H. B. Scott, plaintiff, and Thomas R. Mills, the junior, administrator cum testamento annexo, on the estate of George Hall, deceased, defendant, a manifest error hath happened, to the great damage of the said Thomas R. Mills, the junior, administrator cum testamento annexo on the estate of George Hall, deceased, as by complaint appears. We being willing that the error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you may have the same at Washington on the second Monday of October next, in the said Supreme Court to be then and there held, that the records and proceedings aforesaid being inspected, the said
77 Supreme Court may cause further to be done therein to correct that error what of right and according to the laws and customs of the United States should be done.

Witness the honorable Morrison R. Waite, Chief Justice of the said Supreme Court, the twelfth day of October, in the year of our Lord one thousand eight hundred and seventy-four.

[L. S.]

JA'S MCPHERSON,
U. S. Circuit Court, So. Dist. of Ga.

Allowed by

JOHN ERSKINE,
U. S. Judge.

SEPTEMBER 4, 1875.

(Endorsed:) Writ of error; original; filed Sept. 6, 1875; Ja's McPherson, clerk.

78 *Citation.*

UNITED STATES OF AMERICA, *ss:*

To L. H. B. Scott, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States to be holden at Washington on the second Monday of October next, pursuant to a writ of error filed in the clerk's office of the fifth circuit court of the United States for the southern district of Georgia, wherein Thomas R. Mills, the junior, administrator cum testamento annexo on the estate of George Hall, deceased, is plaintiff and you are defendant in error, to show cause, if any there be, why the judgment in the said writ of error mentioned should not be corrected, and speedy justice should not be done to the parties in that behalf.

September 12th, 1874.

JOHN ERSKINE,
U. S. Judge.

(Endorsed:) Supreme Court of United States, October term, 1875. Thomas R. Mills, j'r, adm't'r, &c., pl'ff in error vs. L. H. B. Scott, def't in error. Original citation.

Due & legal service of a copy of the within citation acknowledged this September 8th, 1875.

79 AMOS T. AKERMAN,
Att'y for L. H. B. Scott, Def't in Error.

Bond on writ of error.

Know all men by these presents, That we, Thomas R. Mills the junior, administrator on estate of George Hall, principal, and Martin Tufts, security, are held and firmly bound unto Levi H. B. Scott in the full and just sum of two hundred and fifty dollars, to be paid to the said Levi H. B. Scott, his certain attorney, executors, administrators, or assigns, to which payment, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 30th day of September, in the year of our Lord one thousand eight hundred and seventy-five.

Whereas, lately, at a term of the fifth circuit court of the United States for the southern district of Georgia, in a suit depending in said court between Levi H. B. Scott and the said Thomas R. Mills, the junior, administrator on the estate of George Hall, deceased, judgment was rendered against the said Thomas R. Mills, j'r, as aforesaid, and the

80 said Thomas R. Mills, the junior, as administrator as aforesaid, having obtained a writ of error and filed a copy thereof in the clerk's office of the said court, to reverse the judgment in the aforesaid suit, and a citation directed to the said Levi H. B. Scott, citing and admonishing to be and appear at a Supreme Court of the United States to be holden at Washington the second Monday of October next:

Now, the condition of the above obligation is such that if the said Thomas R. Mills, the junior, shall prosecute said writ of error to effect and answer costs if he fail to make his plea good, then the above obligation to be void; else to remain in full force and virtue.

THOMAS R. MILLS, J'R, [L. S.]
Adm'r.
MARTIN TUFTS, [L. S.]

Signed, sealed, and delivered in presence of us (the words "first," "December" "and all damage" being erased and the words "second" "October" being interlined before signing and sealing).

J. T. MCFARLAND.
JULIUS KAUFMAN,
Notary Public, Chatham County, Ga.

Approved by—

JA'S MCPHERSON,
Clerk U. S. Cir. Court, So. Dist. of G'a.

SAVANNAH, G'A, *Oct.*, 4, 1875.

81 (Endorsed:) L. H. B. Scott vs. T. R. Mills, adm. Bond on writ of error. Original. Filed Oct. 4, 1875. Ja's McPherson, clerk.

82 *Certificate of clerk.*

UNITED STATES OF AMERICA,
Southern District of Georgia, ss:

I, James McPherson, clerk of the fifth circuit court of the United

States of America for the southern district of Georgia, do hereby certify that the foregoing pages of writing numbered from one (1) to eighty-one (81), inclusive, contain a true and complete transcript of the record and proceedings had in said court in the case of Levi H. B. Scott, plaintiff, against Thomas R. Mills, junior, administrator cum testamento annexo on the estate of George Hall, deceased, defendant, as the same remain of record and on file in said office.

In testimony whereof I have caused the seal of the said court to be hereunto affixed, at the city of Savannah, in the southern district of Georgia, in the fifth circuit, this fourth (4th) day of October, in the year of our Lord one thousand eight hundred and seventy-five, and of the Independence of the said United States the one hundredth.

[SEAL.] JAS. McPHERSON, *Clerk.*

83 UNITED STATES OF AMERICA, *ss:*

The President of the United States to the honorable the judges of the circuit court of the United States for the southern district of Georgia, greeting:

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said circuit court before you in a case between Levi H. B. Scott, plaintiff, and Thomas R. Mills, the junior, administrator cum testamento annexo on the estate of George Hall, deceased, defendant, a manifest error hath happened, to the great damage of the said Thomas R. Mills, the junior, administrator cum testamento annexo on the estate of George Hall, deceased, as by his complaint appears: We, being willing that the error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given,
84 that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you may have the same at Washington on the second Monday of October next, in the said Supreme Court to be then and there held, that, the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein to correct that error, what of right, and according to the laws and customs of the United States, should be done.

Witness the honorable Morrison R. Waite, Chief Justice of the said Supreme Court, the twelfth day of October, in the year of our Lord one thousand eight hundred and seventy-four.

[SEAL.] JA'S McPHERSON,
Clerk U. S. Circuit Court So. Dist. of Ga.

Allowed by—

JOHN ERSKINE,
U. S. Judge.

SEPTEMBER 4, 1875.

(Indorsed:) Writ of error. Original. Filed Sept. 6, 1875. Ja's McPherson, clerk.

85 UNITED STATES OF AMERICA, *ss:*

To Levi H. B. Scott, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States to be holden at Washington on the second

Monday of October next, pursuant to a writ of error filed in the clerk's office of the fifth circuit court of the United States for the southern district of Georgia, wherein Thomas R. Mills, the junior, administrator cum testamento annexo on the estate of George Hall, deceased, is plaintiff, and you are defendant in error, to show cause, if any there be, why the judgment in the said writ of error mentioned should not be corrected and speedy justice should not be done to the parties in that behalf.

September 12th, 1874.

JOHN ERSKINE,
U. S. Judge.

86 (Indorsed:) Supreme Court of United States, October term, 1875. Thomas R. Mills, j'r, adm'r, &c., pl'ff in error, vs. L. H. B. Scott, def't in error. Original citation.

Due & legal service of a copy of the within citation acknowledged this September 8th, 1875.

AMOS T. AKERMAN,
Att'y for L. H. B. Scott, Def't in Error.

87 *Writ of error.—Filed 6 day of Sept.*, 1875.

In the circuit court of the United States for the southern district of Georgia.

THOMAS R. MILLS, JR., ADM.,
vs.
L. H. B. SCOTT.

To clerk's costs.

Filing & entering bill of exceptions	25
Entering consent, order as to time, 4 f	60
Issuing writ of error	1 00
Seal to same, 20; filing, 10	30
Filing & enter'g copy same	25
Enter'g allowance of writ by judge	15
Filing & enter'g citation	25
Entering service on same	15
Filing & enter'g copy citation & service	25
Filing and enter'g bond	25
Approving bond	15
Filing & enter'g copy bond	25
Making record for Supreme Court (3 85) 530 ff., @ 10	53 00
Clerk's certificate	15
Seal of the court	20
	57 20

Received at Savannah, Ga., this 8th day of October, 1875, from T. R. Mills, j'r, adm., fifty-seven dollars and twenty cents, in full of the above bill of costs.

JA'S McPHERSON,
Clerk.

(Indorsed:) In the circ't court of the United States for the southern district of Georgia. T. R. Mills, j'r, adm., pl'ff in error, vs. L. H. B. Scott, d'f't in error. Clerk's bill of costs.

Recapitulation: Clerk's costs for proceedings on writ of error after judgment in circuit court, $57.20.

Filed this 8 day of Oct., 1875.

JA'S McPHERSON,
Clerk.

88 In the circuit court of the United States for the southern district of Georgia.

L. H. B. SCOTT
vs.
THOMAS R. MILLS, JR., ADM. } Debt. Verdict for pl'ff. Filed 30 day of Dec'r, 1870.

To clerk's costs. 22 day of Dec'r, 1873.

Clerk's costs to judg't as per bill filed in case fi. fa, &c.....	$49 80
Attorney's docket fee by statute, depositions at $2.50 each.....	$20 00
Marshal's costs as per bill filed in case	2 30
	72 10

Received, at Savannah Ga., this 8th day of October, 1875, from T. R. Mills, jr., adm'r, seventy-two dollars and ten cents, in full of above bill of costs.

JA'S McPHERSON, *Clerk.*

(Indorsed:) In the circuit court of the United States for the southern district of Georgia. L. H. B. Scott vs. T. R. Mills, j'r, adm. Clerk's bill of costs.

Recapitulation.

Clerk's costs.....	48 90
Attorney's "	20 00
Marshal's "	2 30
	72 10

Statement. Filed 22 day of Dec'r, 1873.

JA'S McPHERSON, *Clerk.*

(Indorsement on cover:) No. 119. Thomas R. Mills, jr., administrator cum testamento annexo of the estate of George Hall, deceased, plaintiff in error, vs. Levi H. B. Scott. S. Georgia C. C. U. S. Filed 8th May, 1876.

SUPREME COURT OF THE UNITED STATES.

THOMAS R. MILLS, Jr., Administrator, etc.,
Plaintiff in Error,

—*VS.*—

LEVI H. B. SCOTT,
Defendant in Error.

BRIEF.

JULIAN HARTRIDGE,
Attorney for Plaintiff in Error.

GEO. N. NICHOLS, PRINTER, SAVANNAH, GA.

SUPREME COURT OF THE UNITED STATES.

THOMAS R. MILLS, Jr., Adm'r, &c., of the estate of GEORGE HALL, deceased,
Plaintiff in Error.
vs.
LEVI H. B. SCOTT,
Defendant in Error.

STATEMENT OF FACTS AND PLEADINGS.

This was an action at common law, brought in the Fifth Circuit Court of the United States, for the Southern District of Georgia, by Levi H. B. Scott against the Plaintiff in Error, as the Administrator *cum testamento annexo* on the estate of George Hall, deceased.

The suit was brought on bills of the Merchants and Planters Bank, located at Savannah, Georgia, to the amount of one hundred and nine thousand, one hundred and seventy-one dollars, exclusive of interest; all of which bills were issued by said Bank on or before the 1st June, 1860. The declaration alleged that George Hall, on 1st January, 1860, and before that time, and up to the time of his death, was the owner of one thousand shares of the capital stock of said

Bank, each share of the value of one hundred dollars; and the Administrator on his estate, Thomas R. Mills, the junior, ever since the death of said Hall, and up to the present time, continued such owner. The claim of Plaintiff is based upon the fifteenth (15th) section of the Act of the Legislature, incorporating said Bank, which is in the following words: "The persons and property of the stockholders shall at all times be liable, pledged, and bound for the redemption of bills and notes at any time issued, in proportion to the number of shares that each individual and corporation may hold and possess."

The facts admitted in the pleadings or by agreement, are: That on the 31st day of May, 1865, and continuously since that date, said Bank was, and has been notoriously insolvent, and had at that date, and has ever since ceased to transact business, or to keep any banking office or place of business, and all of said bills have since that date ceased to circulate as money or currency; that George Hall died in the autumn of 1868, domiciled in the State of Connecticut, leaving a Will; that there was no administration in Georgia on his estate until April 9th, 1869, when letters of administration *ad colligendum* were granted to Thomas R. Mills, the junior; and that permanent letters of administration *cum testamento annexo* were granted to said Mills on said estate on the seventh (7th) day of June, 1869; and that the causes of action accrued prior to June 1st, 1865, and not subsequently to that date. On December 20th, 1870, Scott brought his action against Mills, the Administrator.

The Defendant pleaded, 1st. The general issue; and, second, an Act of the Legislature, approved March 16th, 1869, entitled: "An Act in relation to the statute of limitations, and for other purposes." The sections of that Act relied upon in plea of Defendant are as

follows: "3rd section—All actions on bonds or other instruments under seal, and all suits for the enforcement of rights accruing to individuals or corporations under the statutes of acts of incorporation, or in any way by operation of law, which have accrued prior to June 1st, 1865, not now barred, shall be brought by the 1st of January, 1870, or the right of the party, plaintiff or claimant, and all right of action for its enforcement, shall be forever barred;" "Section 4—That all actions on promissory notes, bills of exchange, or other simple contracts in writing, and all actions on open accounts or for breach of any contract not under the hand of the party sought to be charged, or upon any implied assumpsit or undertaking, which accrued on a contract which was made prior to 1st of June, 1865, not now barred, shall be brought by the 1st January, 1870, next, after the passage of this Act, or the right of the party, plaintiff or claimant, and all right of action for its enforcement shall be forever barred." "Section 6—All limitations hereinbefore expressed, shall apply as well to Courts of Equity as to Courts of Law, and the limitations shall take effect in all cases mentioned in this Act, whether the right of action had actually accrued prior to the 1st of June, 1865, or was then only inchoate and imperfect, if the contract or liability was then in existence."

The preamble to the Act is as follows:

"Whereas, much confusion has grown out of the distracted condition of affairs during the late war; and wher as, doubts are entertained relative to the law of limitation of actions in this State, which should be put to rest." [Section 9 repeals all conflicting laws.]

To the Defendant's plea of the statute of limitations of 1869, the Plaintiff demurred; and Defendant filed a joinder in demurrer.

The Court below sustained the demurrer, and Defendant excepted to the decision. The jury found for the Plaintiff.

The Defendant, before the adjournment of the Court, and within the time allowed by the order of the Court, filed his exceptions to the decision and ruling of the Court, in reference to the statute of limitations, and the verdict of the jury.

The Plaintiff in Error also relies upon errors and defects patent upon the record, which he contends this Court will notice and pass upon, although not specifically excepted to. Under the clause of the charter of the Merchants and Planters Bank above cited, upon which is predicated the liability of Plaintiff in Error to Defendant in Error, an action at law did not lie, but the proper remedy was by a bill in Equity.

POINTS OF LAW.

I. The Judge below, in his decision sustaining the demurrer to the plea of the statute of limitations, admitted that the Act of March, 1869, was a good and constitutional statute; and, indeed, this was so held by this Court in Terry vs. Anderson, 5 Otto, 632.

The Court below held that as permanent letters of administration were not granted to Mills until June 7th, 1869, the Plaintiff below could not sue him until twelve months after, on account of a statute of Georgia passed in 1799, and incorporated in the Code of Georgia in 1862 as Section 2548; by which it is enacted that, "No suit to recover a debt due by the decedent shall be commenced against the administrator until the expiration of twelve months from his qualification."

We submit that the section of the Code of Georgia last quoted, in reference to bringing suits against administrators, was an exception to the statutes of limitations of the State, existing prior to the Act of 1869, but formed no exception to the latter Act, as it is not contained in that Act, and was not passed or adopted *since* that Act.

The Act exempting administrators from suit for twelve months after the grant of permanent letters of administration, suspends the statute of limitations for that length of time, and thus adds twelve months more to the lease of life of the debt.

The Act of 1869, as to limitations of actions, is subsequent to all the Acts in reference to suits against administrators, and contains no exception in their favor as to suit for twelve months after qualification.

The proposition that the statute of limitations runs against all parties not specially excepted by its terms, is too well recognized to need the citation of many authorities.

McIver vs Ragan 2 Wheaton, 29.
Adams vs Daniel et al 47 Ga., 341.
Bank of Ala vs Dalton 5 How 529

The Act of 1869 is a specially rigorous one, passed under peculiar circumstances, and to relieve the people of unusual and extraordinary hardships produced by the civil war.

Terry vs. Anderson, 5 Otto, 632.
Adkins vs Christy 49 Ga., 433, 341. Dawson vs Laurens
Dawkes vs Bank 1 Woods, C. C. R., 528.

Therefore, it must be strictly construed, and no exception allowed by a Court which is not specifically mentioned in the Act itself.

The only ground upon which the twelve months exemption could be considered as an exception to the statute of limitations, would be its being *subsequent* to the last mentioned Act; which is not the case.

Farmer vs Conant 5 Ga., 70.

The Supreme Court of Georgia has never decided the question whether the Act of 1869, as to limitations of actions, repealed the twelve month Act in reference to suits against administrators.

In 49 Ga., 433, the Court say: "The *iron heel* of the Act of March 16th, 1869, limited the right (to sue) to January 1st, 1870."

In 50 Ga., 382, in case of Moravian Seminary vs. Atwood *et al.*, Administrators, the Court say: "Even though the Plaintiff may not have been entitled to have brought suit against the administrator by 1st January, 1870, (*which we do not determine*)," &c.

In that case administration was granted on the estate of the debtor in *September*, 1869. In connection with this case we must note the fact that by the law of Georgia, the written synopsis of the points decided, delivered during the *term* of the Court, and placed as head notes, constitute the *decision* of the Court, and not the opinion written out afterwards. Code of Ga., §4270.

In 55 Ga., 35, Simmons vs. Mosely, Administrator, the Court decide that "the limitation act of 1869 is a bar to an action commenced March 6th, 1874, upon a promissory note dated and due in 1858, the maker of which removed from Georgia to Texas in 1859, and remained there until his death in 1863, although no administration was granted on his estate in Georgia, until May, 1872." In this case, the Court say: "The case is within the letter of the statute."

In the Act limiting the time for bringing suits, which was of force in Georgia up to the passage of the Act of 1869—passed March 6th, 1856—the Legislature considered it necessary to put as an *exception* the case of ~~un~~ *represented estates;* there is no such exception in the Act of 1869

In the case at Bar the Plaintiff was guilty of laches, and cannot, therefore, by any rule of equity, take himself out of the letter of the law. He had over three years before the death of Hall in which to bring suit; and could, under the law of Georgia, have administered as a creditor on the estate of Hall, so as to bring suit by January, 1870.

55 Ga., ~~34~~ 35

Simmons vs Moseley

II. But even should the Court hold that the Court below was right in its decision in reference to the statute of limitation, we submit that there is error apparent in the record, of which this Court will take notice.

Errors of Circuit Court, apparent in record, whether made to appear by bill of exceptions, agreed statement of facts, or by demurrer, are open to re examination and correction.

Storm vs. U. S., 94 U. S., 76.
McAllister & Co. 96 U. S., 87.

And even if there is no bill of exceptions, a writ of error brings up the whole record, and if there is error in the record it will be corrected.

R. R. Co. vs. Morgan, 10 Wallace, 261.

Any error apparent in the record may be assigned.

Phillips' Practice, 154.
Ingram vs Robinson 20 How., 433.
Wyeth vs Smith 11 Wheat. 173.
Dred Scott vs Sandford 19 How., 403

In the case at Bar, the Plaintiff seeks redress by an action at common law; his proper remedy was by a bill in Equity.

Secard vs Bailey 20 Wallace, 520.
Perry vs Dubois 92 U. S., 161.

JULIAN HARTRIDGE,
Attorney for Plaintiff in Error.

Neither the Legislature nor the Supreme Court of Geo can confer upon Common law Courts of the U.S. jurisdiction to hear & determine a purely equitable cause of action — In the Courts of the U.S. the two jurisdictions are separate and distinct.
Pease vs Mining Co. 1 Woods C.C. 547 & cases cited
Noonan vs Lee 2 Black 504
Bennett vs Butterworth 11 How 674-8
Thompson vs R R Co's 6 Wall 137.
In none of the cases cited by Def'ts Error has the Supreme Court of Geo. applied the so called "Equity of the Statute." The cases were bro't so that if an equitable cause of action were given the Statute

Walter S. Chisholm

Supreme Court of the United States.

OCTOBER TERM, 1878.

No. 119.

THOMAS R. MILLS, JR., Administrator, &c., of GEORGE HALL, deceased, *Plaintiff in Error*, vs. LEVI H. B. SCOTT.	In error to the Circuit Court of the United States, for the Southern District of Georgia.

BRIEF FOR DEFENDANT IN ERROR.

A. T. AKERMAN,
For Defendant in Error.

C. E. HALL, Printer, 511 Ninth Street.

Supreme Court of the United States.

OCTOBER TERM, 1878.

No. 119.

THOMAS R. MILLS, JR., Administrator, &c., of GEORGE HALL, deceased, *Plaintiff in Error*, vs. LEVI H. B. SCOTT.	In error to the Circuit Court of the United States, for the Southern District of Georgia.

BRIEF FOR DEFENDANT IN ERROR.

STATEMENT.

Scott, a holder of bills of the Merchants' & Planters' Bank, of Savannah, Georgia, to the amount of one hundred and nine thousand one hundred and seventy-one dollars, having sued the bank to judgement, followed by a return of no property on the execution, brought his action of debt in the court below against Mills, the representative of Hall, the holder of one thousand shares of the capital stock of the bank, each of the par value of one hundred dollars, to recover the amount of said bills under a provision in the charter that "the persons and property of the stockholders shall at all times be liable, pledged and bound for the redemption of bills and notes at

any time issued, in proportion to the number of shares that each individual and corporation may hold and possess." See section 15, in Acts of Legislature of 1853–4, page 186.

To this action the defendant pleaded the act of limitations of Georgia of March 16, 1869, requiring suits on all causes of action which accrued before June 1, 1865, to be brought before January 1, 1870, or be forever barred.

The plaintiff demurred to this plea. It was agreed that in deciding the demurrer the court might consider the following facts as set forth in the plea, to wit: That Hall, domiciled in Connecticut, died in 1868, leaving a will; that there was no administration in Georgia on his estate until April 9, 1869, when letters of administration *ad colligendum* were granted to the defendant Mills; and that permanent letters of administration with the will annexed were granted to him June 7, 1869.

The court sustained the demurrer and struck out the plea, and this is the only error alleged in the bill of exceptions.

ARGUMENT.

I.

The act of limitations of March 16, 1869, was a special act, intended to bring old claims to a speedy termination. In effect, it required all suits on such claims to be brought within nine months and fifteen days from its date.

The law then in force exempted administrators, &c., from suit for one year from the date of their qualification. *Code*, §2530, 2548, 3348, 3422.

The Supreme Court of Georgia, which it is presumed that this Court will follow on such a question, has decided that the act of 1869 does not repeal this exemption from suit, but requires suits against administrators, on the claims within its scope, to be brought within nine months and fifteen days from the expiration of the year of exemption.

This construction of the act was first intimated in

The Moravian Seminary vs. Atwood, 50 Ga. Rep., 382.

It has since been more distinctly declared in

Simmons vs. Mosely, 55 Ga., 35.
Edwards vs. Ross, 58 Ga., 147.
See also Taylor vs. Jacoway, 54 Ga., 500.
Alexander vs. Martin, 55 Ga., 56.
Wright vs. Zitrouer, 55 Ga., 85.

This suit was brought six months and twenty-three days from the expiration of the year of exemption, and this was in time.

II.

Plaintiff in error conceives that there appears in the record another error for which the judgment below should be reversed; to wit: that the suit is at common law by the bill-holder against one stockholder, when it should have been in equity against all the stockholders.

His principal authority for this position is

Pollard vs. Bailey, 20 Wall., 520.

In that case the objection was made in the lower court by demurrer, at an early stage of the suit. Here it is first made in the appellate court, long after pleas in bar, verdict, judgment and writ of error. The court will not consider it now, even if it might have been well taken earlier, unless it is so radical that it would have arrested the judgment.

Slacum vs. Pomery, 6 Cranch. 221.

Is the difference between the two ways of reaching the debtor so material that the objection would have had that effect?

But assuming that the objection is not too late, we yet deny its validity.

Liabilities of this nature under Georgia charters have always been held in that State to be enforceable at common law. Such was the express holding in

Lane vs. Morris, 8 Ga. Rep., 468, on p. 477.
Thornton vs. Lane, 11 Ga. Rep., 459, on p. 508.
Adkins vs. Thornton, 19 Ga. Rep., 325, on p. 328.
Jones vs. Wiltberger, 42 Ga. Rep.. 575, on p. 578, 579.

The following are instances:

Lane vs. Harris, 16 Ga., 217.
McDougald vs. Bellamy, 18 Ga., 412.
Robinson vs. Lane, 19 Ga., 337.
Andrews vs. Gwinnett Manf'g Co., 50 Ga., 637.
Branch vs. Baker, 53 Ga., 502.
See also Boyd vs. Hall, 56 Ga., 563.

It is true that some of these cases grew out of a charter making the stockholders liable as in "common actions of debt;" but these words were held in 19 Ga., 328, 329, not to point out the remedy; and the appropriateness of the common-law remedy was determined on principles equally applicable to the present case.

We do not maintain that the State can control the remedies in the courts of the United States. We know that she cannot compel those courts to disregard the distinction between law and equity, which is recognized in the Constitution and Statutes of the United States. But she can, by her legislation, create rights, and can, at her pleasure, give them either the nature which, on general principles, makes rights enforceable in equity only, or the nature which, on general principles, makes rights enforceable at common law. And the rights which she has given in charters of this description, as interpreted by her own courts, are of the latter kind. When the effect of the charter is to give the individual creditor of the insolvent corporation a claim on the individual stockholder for the full amount of his debt, when not exceeding the par value of the latter's stock and his proportion of the whole debt of the corporation, the claim is in its nature a common-law claim.

The Alabama charter, under which Pollard vs. Bailey arose, differs from the present charter in these important particulars:

First—It does not limit the liability of the stockholder to the par value of the stock. See 20 Wall., 524. Georgia charters like the present do so limit it.

11 Ga., 508.
16 Ga., 217.

Second—It gives in terms a remedy in equity to the bill-holder, and this the court holds to exclude all other remedies. 20 Wall., 527. No such remedy is given in the present charter. In the latter part of the opinion in that case, the court seems to found its judgment on that peculiarity of the charter. "A general liability created by statute without a remedy may be enforced by an appropriate common-law action. But when the provision for the liability is coupled with a provision for a special remedy, that remedy, and that alone, must be employed." Page 527. In the present case there is "a general liability created by statute without a remedy."

Some instruction as to the meaning of the charter on the point in question may be derived from the insertion of the word "persons" in the liability clause. "The *persons* and property of the stock holders shall at all times be liable," &c. When the charter was enacted, the law of Georgia authorized the arrest of the defendant under original or mesne process in all common-law actions on contract, whenever the plaintiff would swear to the amount of the debt, and that he had reason to apprehend the loss of said sum or of some part thereof unless the defendant was held to bail. Cobb's Dig, 477, 479. It authorized no such arrest in equity except when peculiar facts called for a *ne exeat*.

The Supreme Court of that State has said that the effect of the word "persons" in these charters is to subject the stockholder to arrest on such process, 19 Ga., 329, and this implies a common-law jurisdiction.

We also refer to the Bank of the United States vs. Dallam, 4 Dana, 574, see pages 575, 580.

A. T. AKERMAN,
For Defendant in Error.